

The ethical correctness of a psychologist's conduct toward people participating in research in accordance with the “ethics of social consequences”

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Abstract

This article delineates the distinctive character of the psychology profession in Poland and references the legal frameworks that regulate its practice. It further describes imminent legislative reforms aimed at rectifying systemic deficiencies that undermine the integrity of psychological services. Additionally, the article proposes code-based measures to better align legislative efforts with established ethical standards. This article examines the ethical issues faced by individuals assessed by psychologists, as outlined in statutes and codes of ethics. It uses phenomenological analysis to seek the reasons behind existing and proposed guidelines. The analysis is based on the “ethics of social consequences”, a framework that is neither utilitarian nor consequentialist. This framework includes material tenets (such as values and principles) and formal tenets (such as types of behavior). By following this approach, psychologists can both maintain professional autonomy and receive clear guidance for dealing with moral dilemmas. The aim is to help them achieve the best possible outcomes.

Keywords: ethics of social consequences, code of ethics, psychologist, liberal profession, profession of public trust

Introduction

An examination of this topic necessitates a preliminary overview of the present state of the psychology profession in Poland. The psychologist profession was defined in the Act of 8 June 2001 on the psychologist profession and professional self-government of psychologists (Journal of Laws No. 73, item 763, as amended). This Act sets out the rules and conditions for practicing the profession of psychology (although not all its provisions have been implemented) (Bednarek, 2016, p. 20).

The psychologist profession is commonly seen as a public trust profession in Poland, though the law does not use this phrase. Article 2 of the Act states: ‘A psychologist performs their profession independently.’ This means that the psychologist profession is considered a liberal profession, requiring appropriate education and professional independence. Services do not have to be provided alone, but the psychologist must take full responsibility for them. Core aspects of a liberal profession include acting with a sense of mission, adhering to ethical rules, maintaining professional secrecy, building trust with clients, and ensuring the proper execution of duties (Krasnowolski, 2013, p. 3).

The phrase ‘profession of public trust’ is unique to Poland and is not used elsewhere. The Polish Constitution, Article 17, sets rules for these professions. It establishes professional self-governing bodies for public trust professions, stating that these bodies represent their members and monitor standards for the public good. This suggests such professions must have a self-governing body. Key features noted by legal experts include clients entrusting sensitive information, an obligation of secrecy, adherence to ethical principles, and specialized education (Bednarek, 2016, pp. 20–21).

The profession of public trust serves human needs. It is organized so the public can trust practitioners to use information responsibly. The legislator can require strict professional and moral criteria for entry. Many traits characterize a profession of public trust:

- the particular importance of its proper implementation in accordance with the public interest;
- entrusting those practicing such a profession with personal information and information

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concerning the private lives of persons using their services in conditions of high trust;

- the recognition of this information as a professional secret that cannot be disclosed (or disclosed in particularly justified cases);
- granting persons possessing such secrets immunity, exempting them from criminal liability for failure to disclose information;
- using the services of these professions often in the event of a real or potential danger to the best interests of an individual of a specific nature;
- not being subject to the rules of an official hierarchy;
- the existence of formal professional deontology;
- guarantee of proper exercise of the profession guaranteed by high barriers of access and the supervision of a professional self-governing body (Bednarek, 2016, pp. 23–25).

In Polish law, statutory regulations are in force establishing professional self-governing bodies of 15 professions of public trust belonging to 4 different groups:

1. self-governing bodies representing professions related to the exercise of the legal profession;
2. self-governing bodies representing medical and related professions (including psychologists);
3. self-governing bodies representing professions created by the development of a market economy;
4. self-governing bodies representing professions related to construction (Bednarek, 2016, p. 25).

Under the idea of public trust professions, the Act of June 8, 2001, defines the psychologist profession's right to practice in Poland. However, no official body for professional psychologists has been established. As a result, these rules do not apply. There are no Regional Chambers of Psychologists, so there are no established rules or official internships. Such internships are a condition for entry on the list of psychologists in Poland. In practice, anyone with a master's degree in psychology from a Polish university, or an equivalent foreign diploma, can work as a psychologist. This right lasts a lifetime. There is no link between this right and the quality of services provided. Only psychologists affiliated with the Polish Psychological Association (PTP) are subject to quality control for their work. Psychologists not in the PTP fall outside this system (Bednarek, 2016, pp. 38–40, 52).

The situation is changing. On 28.06.2024, the Ministry of Labor and Social Policy published a draft law on the psychologist profession and its self-government. This draft was sent for public consultation. According to the draft, the psychology profession will be officially recognized as a profession of public trust. Article 4 of the draft states, 'The psychologist profession is a profession of public trust.' The professional title 'psychologist' will be protected by law. New regulations will require an independent, professional, self-governing body for psychologists. This body will unite psychologists who provide services from a closed catalog. Psychologists will gain the right to practice upon entry on the Regional List of Psychologists. They will also be subject to disciplinary action before the governing body.

A liberal profession and a profession of public trust are not the same. A profession of public trust concerns the client's special interests and requires personal service. It also involves supervisory authority. The current law on the psychologist profession in Poland does not officially designate it as a profession of public trust, but this is expected to change soon.

There is a key question: why is the professional status of psychologists in Poland still not settled? The main reasons are unclear terminology, inconsistent laws, and differences with European Union legal standards. According to best legislative practices, making major amendments or structural changes to a law requires drafting new legislation. This process needs careful planning, thorough discussion, and consultation with stakeholders. These steps have taken place. The Ministry of Family, Labor, and Social Policy has now prepared a draft law on

the psychological profession and its self-governing body, which is included in the Council of Ministers' legislative agenda. The law is planned to come into force in 2026. When enacted, it aims to ensure that psychological services are delivered consistently and that practitioners' qualifications can be checked.

One further consideration warrants emphasis—the forthcoming legislative reforms will necessitate the adaptation of professional codes. A psychologist operates within dual legal and ethical domains, thereby balancing professional and moral obligations. Achieving coherence between these domains, therefore, demands reciprocal action. The subsequent sections of the article present proposals to address this requirement.

The ethical dimension of a psychologist's conduct toward people participating in research in terms of the “ethics of social consequences”— proposed code solutions

Considering the conduct of a psychologist toward people participating in research, we can see three issues that need to be considered:

1. The conduct of a psychologist as a practitioner towards the people they diagnose in their office;
2. the conduct of a psychologist as a researcher – educator, academic teacher, toward people participating in research of a scientific nature;
3. The conduct of a psychologist toward minors, incapacitated persons, and persons with limited legal capacity.

To learn the rules psychologists should follow when examining or diagnosing people, one should consult the Psychologist's Code of Ethics and Professional Conduct. This code was approved by the Polish Psychological Association General Assembly in 1991. Another code was approved by the same group on December 2, 2018.

Both codes, in their own ways, address people examined by a psychologist. These people are also the recipients of psychologists' professional actions.

In general, a psychologist should remember the three most important norms regulating their relationship with their subjects:

- being guided by the client's best interests (PTP Psychologist's Code of Ethics, art. 1; PTP Psychologist's Code of Ethics and Professional Conduct, art. 6);
- providing professional psychological assistance to clients (PTP Psychologist's Code of Ethics, art. 1; PTP Psychologist's Code of Ethics and Professional Conduct, art. 1);
- implementing the fundamental values of human dignity, subjectivity, and autonomy (PTP Psychologist's Code of Ethics and Professional Conduct, art. 42; PTP Psychologist's Code of Ethics, art. 10 para. 1 item a).

Each of these principles has its ethical justification. The “ethics of social consequences” by Vasil Gluchman, which belongs to the group of non-utilitarian-consequentialist theories, is an excellent basis for the considerations. It has an extensive repertoire of material elements associated with theory, along with formal justifications. It expands material aspects (i.e., among others, the structure of values, the realization of best interests, the place of man as a moral subject) – so far overlooked in the most well-known versions of non-utilitarian consequentialism, takes into account formal aspects (namely, the issues of right action), creating a catalogue of actions with negative and positive moral value (cf. Gluchman, 2012a, p. 11). In the “ethics of social consequences”, positive social consequences constitute the moral ideal that man is to strive to achieve (Gluchman, 2012a, p. 12). Vasil Gluchman calls his own theory a comprehensive ethical concept of the consequentialist kind, in which he attributes a primary role to the theory of good with an emphasis on the values of humanity, human dignity, and moral human rights in the context of the pursuit of positive social consequences (Gluchman, 2004, pp. 502–507; 2005b, pp. 613–623; 2012a, pp. 55–56; 2012b, pp. 16–27; 2016, pp. 52–62; 2017, pp. 57–65; 2019, p. 1130; 2023, pp. 1348–1350; 2024, pp. 412, 423; 2026). An

integral part of this ethics is the author's desire to make a sense of responsibility an intrinsic property of the moral subject, man. So that he will decide and act responsibly, bearing in mind the direct and indirect consequences of his conduct (Gluchman, 2012a, p. 12). This means that the "ethics of social consequences" combines the theory of good with the theory of right action. It is an ideal compromise between deontology and consequentialism.

In light of the above, it becomes clear that what is included in the "ethics of social consequences" – the creation of a structure of values that is pluralistic, and thus new, contributing to the realization of the moral good of the individual and the human community (Gluchman, 2012a, p. 10) and the emphasis on positive social consequences dictated by the sense of responsibility of the acting subject – seems to be a strong basis for recognizing the "ethics of social consequences" as a deontic-consequentialist interpretation of the psychologist's actions.

The three most important norms regulating the conduct of a psychologist are reflected in the "ethics of social consequences". The best interests of the client, which should be guided by Vasil Gluchman's theory, concern everything "that fills a person's life with joy, happiness, idyll and peace, social security, a sense of security, calm" (Gluchman, 2012a, p. 13). Good is what contributes to the realization of human dignity, to finding one's place in society, profession, and family. It is what meets their needs and the needs of others around them. At the same time, in his behavior, man should be guided primarily by the principles of humanism and equal opportunity (Gluchman, 2012a, p. 13). Care for the best interests of the client/patient in terms of the "ethics of social consequences" always has an individual dimension, because moral good does not exist objectively. On the other hand, it exists subjectively, that is, always in relation to a particular person or community (Gluchman, 2012a, pp. 13–14). Thus, the psychologist should consider the client's specific biological conditions, medical history, experiences, and the environment in which they operate. Considering a number of the above conditions of the current situation of the client/patient, the psychologist must also be aware that while the client/patient has their own needs – in a sense universal and inherent to every human being – their proportion, the level of satisfaction and the strategies used to achieve them are highly heterogeneous, and the measure of good varies. The awareness and implementation of these assumptions depend on providing professional psychological assistance to clients/patients, which is served by two categories of acts:

- moral (useful: more useful), obligatory, required; at the same time good, appropriate, and fair with the maximum predominance of positive social effects over negative ones;
- right (useful: less useful), obligatory, required; at the same time good, appropriate, and fair with a definite but not maximum predominance of positive social effects over negative ones.

Awareness and anticipation of possible consequences are crucial. The psychologist should beware of actions that, in their knowledge, could lead to a predominance of negative consequences over positive ones. In addition, what is important is the measure of a psychologist's proper or improper conduct, which is the intentions accompanying their actions. The psychologist must have good intentions for their clients. The psychologist should avoid actions dictated by bad intentions – they are unacceptable. The exception are actions motivated by good intentions, which, however, bring about a maximum or almost maximum predominance of negative social effects over positive ones (or the exclusive presence of negative effects), which are judged to be wrong (useless, i.e. more or less harmful – depending on the number of negative effects) and as neither fair nor unfair, but not condemnable. A mitigating circumstance for this type of action is the psychologist's previous efforts to fully understand the circumstances. In this case, if, despite reflection, the effects of the assistance prove to be exclusively (or almost exclusively) negative, the action can be considered as appropriate.

Possible categories of acts according to the "ethics of social consequences" are presented in

the table:

Assessment of complex procedure				
Assessment of simple procedure			Assessment of appropriateness of action in terms of the intentions (likely or expected consequences)	Assessment of the fairness of the act (conformity of the actual consequences with the expected ones)
Assessment of the act in terms of the consequences	Consequences for society	Intentions		
Morally (useful: more useful) obligatory, required	Maximum predominance of positive effects over negative ones	Good	Appropriate	Fair
Right (useful: less useful), obligatory, required	Definite, but not maximum, predominance of positive effects over negative ones	Good	Appropriate	Fair
Right (useful: more useful)	Maximum predominance of positive effects over negative ones	Bad	Should be avoided	Neither fair nor unfair, but not condemnable
Wrong (useless, or more or less harmful – depending on the number of negative effects)	Maximum or almost maximal predominance of negative effects over positive ones (or exclusive presence of negative effects)	Good	Appropriate (if the subject has sufficient knowledge of the circumstances of the action) or one that should be avoided (if the subject relies only on good intentions and does not appreciate the role of knowledge and analysis)	Neither fair nor unfair, but not worthy of condemnation
Wrong (useful: less useful), prohibited	Definite, but not maximum, predominance of positive effects over negative ones	Bad	Should be avoided	Unfair, but not condemnable
Wrong (useless, or more or less harmful – depending on the number of negative effects), prohibited	Definite, but not maximum, predominance of negative effects over positive ones	Bad	Should be avoided	Unfair, condemnable
Immoral (useless, or more or less harmful – depending on the amount of negative effects), prohibited	A predominance of negative effects over positive (or the exclusive presence of negative effects)	Bad	Should be avoided	Unfair, condemnable

Table 1. Actions according to the “ethics of social consequences”; based on the book by Vasil Gluchman, *Ethics of Social Consequences*, trans. Przemysław Kroczyk. ISMiE Publishing House “Humanum”, Warsaw 2012; in: Dubiel-Zielińska, P. (2019): Ethical concepts and their application to the construction of the theory of education. Oświęcim: MUP Publishing, pp. 242–243.

The psychologist’s realization of the principal values of dignity, subjectivity, and autonomy of the client is also possible due to the guidelines of the “ethics of social consequences”. In this context

[R]ecognizing human dignity means respecting the values of the human being, understanding him as worth protecting. But what exactly is the value that makes a human being worthy of protection? What characteristics and values create dignity [...]? For Vasil Gluchman, the value for which (human) beings deserve respect and recognition is life. We attribute human dignity to every human being, to every individual of the species *Homo sapiens*, on the basis of the very fact of existence. The very fact of existence is therefore a reason for attributing human dignity. Therefore, the value and meaning of human life lies in the fact that we exist (Dubiel-Zielińska, 2019, p. 143).

The basic value of human dignity is independent of the individual’s characteristics, abilities, conduct, successes acquired in the future, or lack thereof. This shows that all human beings are equal as individuals of the species *Homo sapiens* (Dubiel-Zielińska, 2019, p. 143). Due to the equivalence – i.e., being in possession of certain fixed characteristics – each client of a psychologist becomes a subject, not an object of their interactions. The autonomy of the client, on the other hand, results from their separate existence (being physically separate, physically independent, and functionally separate) and thus from free will. Free will is a metaphysical and ontological genome that manifests itself in the freedom to decide one’s own conduct (Gluchman, 1997, p. 57). Nowadays, the individuality of the acting subject with their personal right to decide and develop is strongly emphasized (cf. Dubiel-Zielińska, 2019, p. 185). The psychologist must respect this individuality and freedom, considering the client’s willingness and degree of use of assistance interactions.

With regard to the expected legislative changes mentioned in the introduction of the article, which are intended to specify certain things, it also seems appropriate to clarify the general principles of the code, namely to enrich the existing principles with a catalogue of actions that a psychologist should strive to implement, namely moral and right ones, with a detailed description to avoid ambiguity – as described in the written statements of the creator of the “ethics of social consequences”. The core values of dignity, subjectivity, and the client’s autonomy should be explained, described, and confirmed by showing their origins in a specific ethical theory. This not only shows what needs to be done but also explains why. A detailed description of the actions and a discussion of their components (intentions and effects) seem necessary, and the appeal to social effects is also warranted, because the psychologist’s influence on an individual client contributes to the popularization of certain values, principles, and attitudes worldwide.

The analysis – from the point of view of the “ethics of social consequences” – of the psychologist’s conduct: as a practice towards the people diagnosed by him in the office; as a researcher – educator, academic teacher – towards the people participating in scientific research; towards minors, incapacitated persons, and those with limited legal capacity requires reference to specific principles of this theory: humanism, human dignity, moral law, moral responsibility, justice, duty, tolerance. These principles should be inscribed in the code, so that they can be further developed and justified axiologically.

1) The conduct of a psychologist as a practice toward people diagnosed by them in the office, in the light of the “ethics of social consequences”

When thinking about the relationship with the client, which the psychologist diagnoses, it should be emphasized that the psychologist is responsible for them (PTP Psychologist’s Code of Ethics and Professional Conduct, art. 14). The psychologist is committed to the intention of providing assistance and diligence and reliability in performing professional activities regardless of the client’s properties and characteristics, i.e. social position, material situation, political views, worldview, system of values, race, nationality, age, nature of problems requiring psychological intervention, etc. (The PTP Psychologist’s Code of Ethics and Professional Conduct, art. 15).

The specialist – each time – should agree with the patient the purpose and scope of their activities, payment, and basic manner of conduct. This is mentioned in the Act on the profession of psychologist and professional self-government of psychologists (art. 13 para. 1) and both codes: The Psychologist’s Code of Ethics and Professional Conduct in the section “Psychologist as a practitioner”, article 17, and the Psychologist’s Code of Ethics in Chapter 3 “Recipient’s rights”, art. 10, para. 2, items b, d.

This matter is also regulated by the procedures for providing psychological counseling and its stages. The psychologist should first allow the client to release tension. Next, it is important to identify the problem causing the current difficulties and the factors that exacerbate it. At this stage of operation, it is possible to conduct research–diagnosis using tests and inventories. The next step is to look for new ways to solve the problem and develop an action plan. The client and the psychologist assisting them develop a program that includes a number of elements: planning specific behaviors tailored to specific circumstances; a program for the client to learn missing skills, e.g., listening without interrupting and judging, and informing others about their own doubts. The last stage is the client taking on new behaviors and discussing them in contact with the psychologist (Czabała, 2016, pp. 523–530). Therefore, the established program of action determines the appropriateness and scope of the psychologist’s support. The PTP Psychologist’s Code of Ethics calls the aforementioned agreement a “contract” (art. 10 para. 2). Also, in the case of people who visit a psychologist not on their own initiative (both adults and children) for diagnostic tests or psycho-corrective procedures, the psychologist is obliged to inform them in detail about the purpose of the procedure, the forms used, methods of work, their duration, results, recommendations, and the manner in which they are made available (PTP Psychologist’s Code of Ethics and Professional Conduct, art. 18; PTP Psychologist’s Code of Ethics, art. 11 para. 3 items d, e). What is more, the specialist’s task is to seek acceptance of the planned activities from the people to whom they are directed. This was emphasized in the Act on the profession of psychologist and the professional self-government of psychologists (art. 12 para. 1), the PTP Psychologist’s Code of Ethics, art. 10 para. 2 item a, and the PTP Psychologist’s Code of Ethics and Professional Conduct, art. 18.

Giving consent for a psychological service is associated with the legally regulated issue of consent to the processing of personal data. Pursuant to the Act of 29 August 1997 on the protection of personal data (consolidated text Journal of Laws of 2015, item 2135, as amended). “Data processing is only permitted if: 1) the data subject consents to this, unless this concerns the deletion of data concerning him or her” (art. 23 para. 1).

If there is any risk associated with the use of specific methods and manner of action, the psychologist is obliged to inform the client about this (PTP Psychologist’s Code of Ethics and Professional Conduct, art. 16).

By presenting the principles of cooperation, agreeing on goals and practical issues (such as payment), the psychologist ensures that communication is not one-way, not treating the client/patient in a paternalistic way, but respecting their autonomy and integrity. The psychologist ensures that the client has asked all the questions that concern them and

that all their worries have been dispelled as far as possible. Concluding a contract is the first stage of establishing a relationship based on trust; it is an extremely important element of intervention [...] In the case of using non-standard techniques, the psychologist informs about the experimental nature of these procedures, the possible risks, and that participation is voluntary, and offers alternative possibilities (Bednarek, 2016, p. 218).

When conducting diagnostic and counseling activities, the psychologist takes care not to threaten the patient's values. When providing the client with test results, the psychologist must do everything possible to ensure they are properly received and check that this is the case (PTP Psychologist's Code of Ethics and Professional Conduct, art. 20; PTP Psychologist's Code of Ethics, art. 10, para. 2, item c).

Another important rule is that the psychologist must observe professional secrecy. It may be compromised only in the event of a threat to the life or health of the client or other persons, or if this is provided for in the provisions of common law (PTP Psychologist's Code of Ethics and Professional Conduct, art. 18; PTP Psychologist's Code of Ethics, art. 11 para. 2 item b). Professional secrecy also applies after the death of the client (PTP Psychologist's Code of Ethics, art. 11 para. 2 item d).

The above-mentioned provisions refer to the following principles raised in the "ethics of social consequences": humanism, moral responsibility, justice, and tolerance. The implementation of the idea of humanism by a psychologist is revealed through protecting the client (including their personal data in terms of maintaining confidentiality and professional secrecy), supporting the client (emotional, instrumental, informational), striving for the client's development (self-awareness, ability to regulate emotions), and through empathetic response. The psychologist's characteristics, personality, and moral properties are conducive to, and even open them up to, the patient. It is essential to have them. Empathy is about putting oneself in the client's shoes and following their needs, as signaled at the outset by the reason for the visit. Empathy allows one to constantly explain to the client, in an individualized, understandable, and comprehensible way, the more or less complicated elements of assistance interventions, to be attentive, and to make adjustments to the goals, methods, and tools used in the therapeutic process.

The idea of moral responsibility resonates with the principle of responsibility emphasized in the PTP Psychologist's Code of Ethics and Professional Conduct. Within the framework of the "ethics of social consequences," it is closely linked to other principles: the rule of humanism, human dignity, justice, and tolerance, which form an integral part of this concept. The norm of responsibility is very much in harmony with the rule of justice, which actually determines its content. Moral responsibility is universally connected with the realization of the imperative of justice, that is, an action that recognizes every difference and presupposes equal treatment (cf. Gluchmanová, 2008, pp. 154–155), respect for human rights and human dignity, and the principles governing the humanistic-democratic community. At the same time, responsible action is just compatible with the principle of humanism (Gluchman, 1996, p. 825). According to Gluchman, justice is a measure of good, which can only be achieved and established through justice. Otherwise, good is not possible (Gluchman, 1996, pp. 822–823).

Justice also means being tolerant, that is, an opponent of discrimination, racism, and violence (Dubiel-Zielińska, 2019, p. 202). Understanding the diversity of the psychologist's profession is essential because each client is "a different person".

2) The conduct of a psychologist as a researcher – educator, academic teacher, toward people participating in research of a scientific nature, in accordance with the assumptions of the "ethics of social consequences"

Thinking of a psychologist as a researcher and scientific worker, one must be aware of their

enormous responsibility on several levels: towards subjects, towards society, and towards science. Moreover, we are interested in responsibility toward the subjects.

First of all, the psychologist should respect the principle of voluntary participation in psychological research and recognize the subjects' right to withdraw from further participation at any time. This is particularly important when the psychologist-researcher is the supervisor (manager, director, employer, etc.) of those (students, clients, employees, etc.) who are the subjects of the study. (The PTP Psychologist's Code of Ethics and Professional Conduct, art. 32).

The psychologist should avoid research that may violate participants' values or cause them to suffer. However, if it cannot be avoided, the psychologist is obliged to inform the participants about it each time before the start of the study, and during its duration, to minimize the costs (moral, emotional) that the participants incur (PTP Psychologist's Code of Ethics and Professional Conduct, art. 33).

In addition, before starting the research, the psychologist is obliged to inform the participants about the purpose of the research, its course, and explain all aspects of the study that the participants ask about. If it is planned to use recording devices or to observe the research situation from a hidden angle without using devices, the subjects – whether adults or children – must be informed and their consent obtained. In exceptional cases, this may be done after the study has been carried out, provided that respondents are given the option to refuse consent to the use of the collected data (PTP Psychologist's Code of Ethics and Professional Conduct, art. 34).

When interpreting the raw data from the study and describing their results, the psychologist removes from them everything that could be used to identify the participants (PTP Psychologist's Code of Ethics and Professional Conduct, art. 35).

These assumptions define the principles of humanism and human dignity contained in the "ethics of social consequences". The concept of human dignity includes the need for respect and recognition towards everyone on account of their membership of the species. The conduct of scientific research by a psychologist requires complete recognition and respect for research subjects, taking into account their consent to participate or lack thereof, and respecting the values they hold, the violation of which should be avoided. This also means protecting their personal rights by removing any identifiable data from research.

3) The conduct of a psychologist toward minors, incapacitated persons, and persons with limited legal capacity in the light of the "ethics of social consequences"

When it comes to minors, the psychologist should be particularly careful. Their contacts with young clients should be voluntary. The psychologist is obliged to respect the minor's decision regarding contact with them, meaning that if they learn of pressure being put on the minor by institutions or adults, they have the right to refuse to cooperate with these institutions and persons. A psychologist has a moral duty to defend the rights of a minor (PTP Psychologist's Code of Ethics and Professional Conduct, art. 19). This provision is also guided by the principle of respect for one's own professional independence (PTP Psychologist's Code of Ethics and Professional Conduct, art. 13; PTP Psychologist's Code of Ethics, art. 13).

The issues of consent to psychological services for minors and incapacitated persons are regulated by the Act of 23 April 1964, Civil Code (consolidated text, Journal of Laws of 2016, item 380). A minor under the age of 13 lacks legal capacity, and after the age of 13, has limited legal capacity. Similarly, an incapacitated person may have a total lack of legal capacity (total incapacitation) or limited (partial incapacitation).

In addition, people whose mental faculties for various reasons (mental illness, intellectual disability, dementia) do not allow for understanding procedures, but who are not formally deprived of legal capacity, actually have a limited capacity for understanding and decision-

making (Bednarek, 2016, p. 175).

In relation to the above-mentioned groups of persons, the psychologist is obliged to explain, in understandable language, the procedure and purpose of the service and to obtain consent. However, consent is obtained in writing from the legal guardians of these persons after detailed disclosure of all relevant information. The psychologist also documents the steps taken to obtain acceptance of the service from a person with limited or no legal capacity (Bednarek, 2016, p. 175).

The client's inability to understand specific research procedures undertaken by the psychologist, whether due to age or a deficit, requires special care on the psychologist's part. The psychologist must do everything in the name of recognizing the client's free will and autonomy and spreading the idea of humanism. Their task – in accordance with the assumptions of the “ethics of social consequences” – is professional protection, psychological care of the client, enabling them to meet specific psychological needs, especially when the client has been affected by developmental, genetic, or mental disorders that reduce their existential possibilities in a fundamental way. The manifestation of humanism is then selfless help, selfless care, defense against danger, and doing no harm (Gluchman, 2012a, pp. 99–114). This promotes an active form of humanism in a positive dimension (Dubiel-Zielińska, 2019, pp. 139–140), contributes to the implementation of the principle of humanism, especially since the protection and support of the lives of people who are not known to us and strangers constitutes a moral imperative, which is of overriding importance in relations with other people. By such actions, man confirms that he is capable at least to some extent of transcending the natural-biological framework of their determination (Gluchman, 2005a, pp. 529–530), while the very protection and support of human life bring positive social consequences (Gluchman, 2005b, pp. 613–614).

By spreading humanism through support, the psychologist will dispel fears about the rightness of their own actions, thereby contributing to the realization of the principle of duty, which prioritizes positive consequences over negative ones (cf. Gluchman, 2008, p. 7).

Summary

The conduct of a psychologist is regulated by legal and code regulations. The psychologist – like most representatives of professions of public trust – carries out both professional and moral duties. Knowledge of them seems to be obligatory due to the nature of the work performed by psychologists. It is an assistance activity, often therapeutic, and the profession itself belongs to the group of liberal professions and professions of public trust. Psychological examination, diagnosis, and counseling require unique personality predispositions (empathy, openness, etc.), theoretical knowledge, the ability to apply it, and moral predispositions (responsibility, impartiality, willingness to help, reliability, sincerity, honesty, etc.) from the persons conducting them.

So far, the legislative proposals contained in the Act have proved inconsistent and contradictory with the overarching documents, prompting an update that is expected to enter into force in 2026. Its existence, therefore, requires parallel changes on the ethical level, hence the proposal to appeal to the “ethics of social consequences”. Modification of the Code of Ethics: a) specification of the principles contained therein and reference to the principles of humanism, human dignity, moral law, moral responsibility, justice, duty, tolerance; b) exploration of the subject of actions that a psychologist should strive to perform, discussion of their components (intentions and effects); c) reference to and reliance on the social effects of a psychologist's actions seems to be necessary. The psychologist's influence on an individual client contributes to the popularization of certain values, principles, and attitudes worldwide.

Compliance with ethical principles is the basis of professionalism. Being on good terms with people participating in research is, in turn, a prerequisite for recognition and existence in the job market. Respect for clients builds the specialist's reputation and attracts clients seeking

professional help in crisis situations. In contrast to other ethical theories, the “ethics of social consequences” gives the acting entity significant support.

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