THE ROLE OF THE CONTRACT IN SUPERVISION

For over a century, supervision has existed in a variety of forms within the arena of professional practices. Clinical supervision has a firm place, for example, in the fields of health, law and social work. Professional supervision has also been developed in fields that include medicine, business, psychotherapy, counselling, coaching, education, law, leadership and administration.

Some of the language in which professional supervision dresses itself is garb taken from other professions, but it is by no means a uniform even within professional supervision. As a result, there is value in clarifying to some degree what the terms used mean in the context of each style of supervision. Today, in this session there is a focus on the meaning and place of Contract in professional supervision, coaching and counselling. I want to suggest that the contract is an expression of the particular theory and practice that guides those who engage in supervision. And I want to propose that the contract is therefore also an expression of the supervisory relationship.

ACTIVITY 1

Call to mind a time when supervision (as supervisor or supervisee) was effective for you. Name three factors or qualities of the supervisory practice that contributed to the successful outcome. Choose a partner to share your reflection with.

SUPERVISORY RELATIONSHIP

Michael Carroll has described supervision as a learning partnership with the primary focus of bringing the skills, knowledge and professional maturity of one person (supervisor) to facilitate the learning of another person (supervisee) within the domain of the latter’s workplace experience. The supervisor does not necessarily claim specialised expertise in the context of each supervisee’s workplace and profession. In many cases, supervisors have a postgraduate level of education and training in one professional field which has been supplemented through years of practice, ongoing professional development and life experience. In their supervisory practice, supervisors draw upon their own learning in workplace contexts in such fields as counselling, pastoral care and community welfare, business, nursing, allied health professions, organisational psychology, social work, mediation, spirituality, chaplaincy, social sciences, communication skills, and adult education.

As a learning partnership, supervision stands within the field of adult education and learning, but goes beyond instruction and training. Although the intention of both participants in supervision may be for the

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1 A learning partnership will also exist in peer supervision among a small group of practitioners, and in facilitated group supervision between a supervisor who facilitates the group of supervisees and among each of the group members who are in partnership with each other.

2 Drawing broadly upon the work of Juergen Habermas, Jack Mezirow has proposed that there are three domains of learning. Instrumental learning provides, through instruction and training, a means to develop order within chaos. Communicative learning enables practitioners to engage effectively and ethically in relation to the persons, cultures, contexts, institutions and systems in which they practise. Transformative learning, for which the learner prepares by engaging in a self-critique of assumptions in their theory and practice, usually follows a disorienting dilemma that emerges in their reflective practice. The practitioner’s critical reflection and self-reflection is likely to lead their becoming aware of psychological, epistemic and socio-cultural distortions in their practice. These three dimensions of learning are interactive and not sequential. Initial supervisory conversations provide a vehicle for reaching an agreement or contract to promote whichever aspect of learning the supervisee appears to require. Ongoing conversation, in various forms, is the usual mode of accompanied learning that the supervisee undertakes with a supervisor.
supervisee to arrive at the competent, confident and joyful exercise of their practice, the supervisor usually does not set out to teach specific competencies. The pursuit of training for a specific workplace competency is a choice that supervisees may make and a learning goal that they explore in supervision.

Research into what makes counselling and psychotherapy work has indicated that, across a broad field of psychological styles and practices, relationship is very significant factor\(^3\). It may be assumed that relationship is likewise a significant factor in effective coaching and supervision.

**CONTRACT**

The contract in a learning partnership exists to serve the integrity of the supervisory process. It aims to foster ethical, effective and satisfying work for both supervisor and supervisee. It does not just ensure “the safe delivery of goods”; it also gives shape and purpose to the learning partnership. The contract is an expression or statement of the focus, direction and intention of the partnership via a formal (written) or less formal agreement.

In contemporary culture, a contract is often seen as a means for one person or corporate entity to hold another person or corporate body accountable, and even to provide an instrument for prosecution to recover costs involved through the other’s non-compliance with the terms of the agreement. In a business context, where protecting personal or corporate interests and profit are primary values, a contract serves the partners as a protection against exploitation. (A distortion that emerges in Western legal and business culture is litigiousness). A supervisory contract may be viewed by the partners in terms of both relationship and business. Because, in the learning partnership, the supervisee engages / employs the supervisor to be a facilitator of learning, it is appropriate that there be an explicit contract or agreement to safeguard the interests of both partners.

On one hand, the contract assumes an undertaking by the supervisee to engage in learning that will improve and enhance their effective, ethical and satisfying work performance. On the other hand, the supervisor explicitly undertakes to provide appropriate resources to support the supervisee’s learning. Within workplace contexts that change from time to time (restructuring) in response to local and global commercial, cultural, political, environmental and technological factors, workers discover need and opportunity to seek and develop new learning for their workplace practice. It is within the supervisee’s reflective practice, which includes supervision, that awareness often emerges that new learning goals need to be set. In response to the supervisee’s expressed need for learning, the supervisor facilitates the supervisee’s choice of goals that are achievable and relevant. The supervisor will also make observations, raise questions, or make suggestions in relation to the supervisee’s practice.

*The contract is constructed collaboratively from the reflective practice of both supervisor and supervisee.* Awareness of a need or opportunity to learn may come to the supervisee’s notice through

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\(^3\) Andrew Samuels (2010) has argued that therapeutic relationship, with its safeguards of confidentiality, privacy, safety and fidelity, seems to have acquired some characteristics expected of monogamous marriage. He notes that in the training of practitioners within the psychotherapy profession there is a preference for safety rather than risk within the therapeutic relationship. A possible outcome of this style of relationship is that the client is comforted rather than stimulated, and may even be silenced. By contrast, Sheila Ryan’s statement that supervision brings interruption and the dismantling of the supervisee’s comfort stories in the interests of practice with integrity shows her emphasis on this characteristic of adult learning in professional supervision.
reflection on surprises and shocks encountered in everyday work. “I do not know how to do that” may be an expression of a sense of failure, shame, anger at being exposed to challenge, or it may mean excitement and hope for learning something new. Having the supervisor’s attentiveness to the supervisee’s report of their workplace experience is a resource for the latter and the report becomes a stimulus for reflection by the former. Besides the reshaping of learning goals by the supervisee, it may be that a similar process takes place for the supervisor. A fine tuning or at times a distinct change in the contract may occur.

• Depending on the situation and the capacity for reflection that the supervisee has, the starting point for the contract may be an explicit identified need and desire for learning. Learning goals may refer to a choice for an instrumental or a communicative skill.

• Supervisees may seek supervision for a specific period or they may choose it as a regular part of their ongoing practice. The contract or agreement will reflect this.

• Supervision facilitates a movement from ignorance to awareness and understanding, from diffidence to autonomy, from incompetence to competence, from self-interest only to ethical practice.

• Metaphorically, the contract may be like the music that partners agree to dance to in supervision. It acts as a container to allow each person to occupy their appropriate space in the conversation. Improvisation that lies at the heart of jazz is an element in the making and remaking of the supervisory agreement.

• The contract serves to help supervisee and supervisor to bring clarity and order to situations of uncertainty and confusion.

• The contract stands for mutual accountability between supervisor and supervisee.

ACTIVITY 2

In your practice as supervisor, have you sometimes negotiated changes to the way in which you participate in the contract or arrangement? What triggered the change? Choose a partner to relate how one of these changes came about.

ASPECTS OF CONTRACT

What kind of supervision?

• Mandatory or voluntary - who is the client? ; Who employs the supervisor? Who pays? What is she/he paying for?

• Educational Policy of the provider (adult education/learning theory and practice) – approach to learning, reflective practice, learning for autonomy, ethical practice, competence, confidence – how supervision sessions are structured to incorporate supervisee initiative in setting agenda, goal setting, monitoring by supervisor.

• Styles and emphases in supervision

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4 Andrew Samuels draws attention to the well known Duelling Banjos sequence in the John Boorman film Deliverance. It can be found on [http://www.youtube.com/watch?v=1tqxzWdKku8](http://www.youtube.com/watch?v=1tqxzWdKku8). The video clip may illustrate elements of culture and context that influence the development and maintenance of the supervisory agreement, as well as some relationships of the partners in the agreement to their social, economic and political environments.
Clinical (skills needed for competent practice, care of the supervisee)

Pastoral (values, meanings, spirituality, community base, social justice)

Not therapy or spiritual guidance

- Discernment and diagnosis. The exploration for learning according to the contract in supervision may be envisaged through the perspective of diagnosis. Diagnosis employs analytical skills of observation, measurement and planning for action that refer principally to empirical data. It makes an assumption that what needs to be known and worked with in supervision is available to scrutiny and management provided the tools for inquiry are suitable and at hand. Discernment, on the other hand, assumes that not everything that is relevant and influential in learning can be immediately and rationally accessed. It approaches the discovery of knowledge that may become a basis for the supervisee’s action, by attempting to draw into view, sometimes through imaginative means, whatever lies hidden from the awareness of either or both supervisee and supervisor. It is not therapy. Discernment is an intentional searching for awareness that sometimes leads to “waking up”. It seems that in supervision both approaches may be in use even though one or other party or both claim that they are employing only one modality. If the emphasis on diagnosis or discernment moves from one to the other, the supervisor would do well to signal to the supervisee the change of approach.

**Administration**

- Consent to hold information
- Fees policy – non attendance at sessions
- Confidentiality / Privacy
- Safety and Grievance Procedures

**Length of time for contract:**

- Set period? – short term for specific purpose/time; or longer (related to ongoing career)
- After three meetings, agree to negotiate about the contract
- End of year renegotiation of terms
- Recontracting / Ending the contract / Referring to another supervisor changes the contract

**The learning style of the supervisee**

- Is the supervisee already a reflective practitioner? Learning from reflection on practice of either or both supervisee and supervisor may lead to a change in the contract.
- Different learning styles show various cognitive, motivational, affective preferences for learning and reveal some less employed or developed skills
- Supervisee’s readiness for learning, willingness and capacity to set suitable learning goals

**How do the cultures of supervisor and supervisee affect the meaning of the contract?**

- Elements of deference to supervisor’s authority, age, gender, status, reputation
• Cultural expectation of saving face; “we don’t talk about our life from an individual perspective”

• “Strangeness”; qualities of the other’s values, meanings

• Language skills, familiarity with Australian culture, workplace culture, humour

• A supervisor’s flexible use of power in the contract may be authoritative, democratic and laissez-faire

**How does context affect the meaning of the contract?**

• Context of familiarity / dual relationship

• Financial considerations – *pro bono*, mates’ rates

• Time of day, length of session, frequency

**ACTIVITY 3**

*If you had to draw a picture or logo to describe the contract in supervision, what would it look like? You might want to make a brief sketch.*

*Do you have a metaphor or metaphors for the role of the contract in your supervision practice? What is it / are they? Choose a partner to share your reflection with.*