

The Evolution of Social Work Ethics

Produced by the Alabama Department of Public Health
Video Communications and Distance Learning Division

Faculty

Rena Carpenter, LCSW, PIP
State Social Work Director
Alabama Department of Public Health

Objectives

- Understand the history of social work Ethics
- Understand why ethical standards have changed over time
- Understand the ramifications of violating the code of ethics

What is a Profession?

- A profession is a disciplined group of individuals who adhere to ethical standards. This group positions itself as possessing special knowledge and skills in a widely recognized body of learning derived from research, education and training at a high level, and is recognized by the public as such. A profession is also prepared to apply this knowledge and exercise these skills in the interest of others.

(<http://www.professions.com.au/about-us/what-is-a-professional>)

Expert vs Professional: What's the difference?

- A professional is a member of a profession. Professionals are governed by codes of ethics, and profess commitment to competence, integrity and morality, altruism, and the promotion of the public good within their expert domain. Professionals are accountable to those served and to society.

(Cruess, Sylvia R., Sharon Johnston, and Richard L. Cruess. "'Profession': a working definition for medical educators." *Teaching and learning in Medicine* 16.1 (2004): 74-76.)

History of Social Work Ethics

1. National Association of Social Workers (NASW) Code of Ethics was established on October 13, 1960
 - It was one page long and had 14 major points

NASW Code of Ethics - 1960

1. Improving social conditions
2. Professional responsibility primary instead of personal interests
3. Personal responsibility for the quality of services
4. Respect for privacy
5. Use information gained in a responsible manner

NASW Code of Ethics - 1960

6. Respect views and actions of colleagues
7. Practice within the knowledge and competence of the profession
8. Professional responsibility to add to the body of knowledge
9. Protect the community against unethical practice

NASW Code of Ethics - 1960

10. Give professional service in public emergencies
11. Distinguish clearly between statements and actions made as an individual and as a representative of an organization
12. Support professional education

NASW Code of Ethics - 1960

13. Create conditions within agencies that allow social workers to adhere to this code
14. Contribute knowledge, skills, and support to programs of human welfare

NASW Code of Ethics Amended April 11, 1967

- The amended version added a 15th point which stated that services would be provided without discrimination on the basis of race, color, religion, age, sex, or national ancestry

NASW Code of Ethics Revised 1999

- Today, the NASW code of ethics is a 27 page document that is broken down into six major components:
 1. Service
 2. Social justice
 3. Dignity and worth of the person
 4. Importance of human relationships
 5. Integrity
 6. Competence

Law Governing Social Workers in Alabama

- **The Alabama Law pertaining to Social Workers and the Alabama Board of Social Work Examiners**
 - Code of Alabama 1975
 - Title 34 Chapter 30
- **There is a link on the ABSWE website:**
 - www.socialwork.alabama.gov

Components of the ABSWE Code of Ethics

1. **SW's Conduct**
2. **SW's Ethical Responsibility to Clients**
3. **SW's Ethical Responsibility to Colleagues**
4. **SW's Ethical Responsibility to the Employer**
5. **SW's Ethical Responsibility to the Profession**
6. **SW's Ethical Responsibility to Society**

Component # 1

- **Social Worker's Conduct:**
 - A. Social Worker shall not condone or participate in dishonesty, fraud, deceit, misrepresentation, or criminal activity**
 - B. Social Worker shall not exploit professional relationships for personal gain**

Component # 1

- **Social Worker's Conduct:**
 - C. Social Worker shall not allow personal problems, substance abuse, or mental health difficulties to interfere with professional judgment**

Component # 2

- **Responsibility to Clients:**
 - A. The Social Worker shall maintain confidentiality of clients' information**
 - B. The Social Worker shall not practice or condone any form of discrimination**

Component # 2

- **Responsibility to Clients:**
 - C. The Social Worker shall not engage in any form of sexual relationship with clients, whether by force or consensual, nor with former clients, nor with the family members of clients**

Component # 3

- **Responsibility to Colleagues:**
 - A. Social Worker shall treat colleagues with fairness, respect, and courtesy**
 - B. Social Worker who is a supervisor shall act with fairness, consideration, and in an equitable manner**

Component # 3

- **Responsibility to Colleagues:**
 - C. A Social Worker who believes a colleague to be incompetent and who hasn't taken steps to address the incompetence, must act through proper channels**

Component # 4

- **Responsibility to the Employer:**
 - A. Social Workers should adhere to commitments made to their employer**
 - B. The Social Worker should use the resources of their employer for the purpose in which they were intended**

Component # 4

- **Responsibility to the Employer:**
 - C. Social Workers should strive to improve the effectiveness of services of their employer**

Component # 5

- **Responsibility to the Profession:**
 - A. The Social Worker should take action, through appropriate channels, against unethical conduct by any other member of the profession**
 - B. The Social Worker should strive to become and remain proficient in professional practice**

Component # 5

- **Responsibility to the Profession:**
 - C. The Social Worker should make no misrepresentation as to competence, qualifications, service, etc.**

Component # 6

- **Responsibility to Society:**
 - A. Social Worker should act to ensure that all persons have access to needed services and resources**
 - B. Social Worker should advocate for conditions that respect the diversity of cultures**

Component # 6

- **Responsibility to Society:**
 - C. Social Worker should provide appropriate services during public emergencies**

Disciplinary Steps

- **In addition to action taken by the Social Worker's employer, steps in the disciplinary process of the ABSWE are as follows:**
 - 1. A formal complaint is made, in writing, to the ABSWE using the complaint form found on the agency's website**
 - ***Anonymous complaints are not taken**

Disciplinary Steps

- 2. The Board's investigative committee will review the information and determine whether there is probable cause**
- 3. The licensee will receive a certified copy of the complaint and will be given a chance to respond to the allegations**

Disciplinary Steps

- 4. The Social Worker shall be given 30 days to respond either admitting or denying the allegations**
- 5. Failure to respond within the time frame, without good cause, constitutes an admission of the allegations**

Disciplinary Hearings

- 1. Open to the public**
- 2. The social worker may be represented by counsel at the expense of the social worker**
- 3. At the hearing, the social worker will enter a plea of 'guilty' or 'not guilty'**
- 4. Opening statements**
- 5. Presentation of evidence**
- 6. Closing argument**

Settlements / Dispositions

1. **Informal disposition** – these may be made before the case is heard. The stipulations of the settlement are put into writing, signed by all parties, and are public record.
2. **Hearing Officer's Decision and Recommendation** – following the hearing, the hearing officer makes a written decision and submits it along with recommendations to the Executive Director of ABSWE.

Final Order

1. **Within 45 days of receiving the hearing officer's recommendations, the ABSWE will issue a final order**
2. **The ABSWE has the options of affirming, in whole or in part, rejecting, or modifying the hearing officer's recommendations**
3. **The social worker or other interested party will receive notification by first class mail**

Discipline

1. **License revoked** – social worker loses their license and their ability to work in the profession until the license has been reinstated. The minimum length of time a license is revoked is 2 years. It is up to the ABSWE as to when, if, or under what stipulations a revoked license may be reinstated.

Discipline

2. **License suspended** – the social worker whose license has been suspended may not practice until the suspension has been lifted. Examples of stipulations to lift a suspension are: additional continuing education in Ethics, additional supervision, and/or payment of an administrative fine. The ABSWE determines the number of contact hours or supervision hours needed, as well as sets the amount of the fine.

Discipline

3. **Reprimands** – These stipulations tend to be the same as those for the suspended license, but the licensee is allowed to continue to practice while the stipulations are met. There is usually a specified time-frame in which to meet these stipulations. If they are not met, then further disciplinary action may be taken by the ABSWE.

Discipline

4. **Wall of Shame** – Disciplinary proceedings are public record and can be found, including the disposition of the case, on the ABSWE website under 'Disciplinary Actions'

Ethical Dilemmas

- A **Code of Ethics** is a set of guidelines or core beliefs to which a profession upholds its members
- **Ethical Dilemmas** result when 2 or more of these standards conflict with each other

Decision Making

- What do we do when we're faced with an ethical dilemma?
 - A. Consult the code
 - B. Consult the law
 - C. Seek supervision or legal consultation
 - D. Make the choice that will inflict the least harm

Summary

- Some ethical violations are obvious and easily avoided. Others are not so obvious.
- Often times, we are faced with ethical dilemmas during our careers. These are situations where we have to make a decision between two conflicting values, or we must decide which response will cause the least amount of harm.

Summary

- How often do we find ourselves in a situation where what is in the best interest of the client isn't in the best interest of our employing agency? Or we may have to make a decision that will benefit one family member and harm the other.
- Our Code of Ethics serves as a tool or a guide to help us make these difficult decisions when there are competing interests.

Example of an Ethical Dilemma

- You and a colleague are both eligible for a promotion. You and your colleague are 'friends' on Facebook and you have seen pictures and posts that lead you to believe she is romantically involved with one of her clients.
- Does this create an ethical dilemma for you?

Example of an Ethical Dilemma

- Steps to take in determining what you should do:
 1. Consult the code
- Social Workers shall not exploit professional relationships for personal gain
- VS
- The Social Worker should take action, through appropriate channels, against unethical conduct by any other member of the profession

Example of an Ethical Dilemma

- Steps to take in determining what you should do:
 2. Seek Supervision / Consultation
 - Should you seek supervision from the person making the choice about the promotion?
 - Should you consult the person who is one step higher than your direct supervisor?

Example of an Ethical Dilemma

- Steps to take in determining what you should do:
 3. Make the choice that will inflict the least harm

Example of an Ethical Dilemma

- You have a pregnant client who is a 15 year old Sophomore and she discloses that the father of her baby is the 18 year old Valedictorian of his senior class and has just been awarded an academic scholarship to a prestigious university
- Does this present an ethical dilemma?

Example of an Ethical Dilemma

- The law requires you (a mandated reporter) to file a report with DHR for sexual abuse of a minor
- If you report it, the father of the baby could face criminal charges / prison, be labeled as a sex offender for the rest of his life, lose his scholarship which would negatively impact his ability to provide financial and emotional support to your client and her baby in the future

Example of an Ethical Dilemma

- This is an example of competing interests:
 1. Your responsibility as a mandated reporter
 - VS
 2. What is in the best interest of those involved

Ethical Dilemma

- A social worker has been assigned to complete home studies on both the maternal and paternal grandparents of a minor child. Parental rights have been terminated and the home studies are being conducted to assist the judge in determining which grandparents will be allowed to adopt the child....

Ethical Dilemma

- But the maternal grandmother makes a baby blanket and presents it as a gift to the obviously pregnant social worker during her home visit
- Does this present an ethical dilemma for the social worker?

Ethical Dilemma

- According to the code of ethics, a social worker should not exploit professional relationships for personal gain
- Vs
- The importance of human relationships. We do not want to offend those with whom we have a working relationship

Ethical Dilemma

- Concerns?
- If the worker refuses the gift, will the working relationship be damaged?
- If the worker accepts the gift, and the judge chooses the maternal grandparents, will it appear as though the gift was a bribe?

Ethical Dilemma

- Social media presents many ethical dilemmas for all professionals.
- A social worker accepts a 'friend' request from a minor client. One day the social worker is scanning through the news feed and happens to see pictures / posts about the minor's use of drugs and/or alcohol.
- Does this present an ethical dilemma?

Ethical Dilemma

- Client's right to self-determination and confidentiality
- Vs
- Client being involved in dangerous and illegal acts
- Should the social worker break confidentiality and inform the parents and/or law enforcement?

Ethical Dilemma

- What if the social worker was not a 'friend' of the minor child on social media but happened to see the pictures / posts on someone else's social media page?
- Would that make a difference in the social worker's decision of what to do?

Ethical Dilemma

- A home health social worker is working with a diabetic patient. The patient has Medicaid, but her partner, who is also a diabetic, does not. Both of them are insulin dependent.
- The partner is no longer employed full-time because of the need to care for the patient and keep her at home instead of in an institution.

Ethical Dilemma

- The partner no longer has employment related health insurance and must depend on purchasing a policy through the marketplace. The co-pays make purchasing insulin much more expensive, and with the household income reduced, the ability to purchase the needed vials of insulin has been compromised.

Ethical Dilemma

- The patient tells the social worker that the only reason she is able to remain at home is because of the excellent care she is receiving from her partner. The patient further confides that she only needs about half the insulin that she claims to be using in order to share the 'extra' insulin with her partner.

Ethical Dilemma

- The client's right to confidentiality
- Vs
- The social worker shall not condone fraud or deceit

Ethical Dilemma

- In this situation, the social worker also knows that her role is to improve the outcome for the patient (remain in her own home) and reduce the cost of care to Medicaid. The social worker knows that the cost of institutionalization far exceeds the cost of the extra vial of insulin that Medicaid is paying for each month.
- What should the social worker do?

Ethical vs. Moral Dilemmas

- Medical advancements have created dilemmas that we would never have encountered a few decades ago.
- Technology now allows very premature infants to survive even though the consequences may be severe and painful lifelong disabilities.

Ethical vs. Moral Dilemma

- We may have a client who has been diagnosed with cancer who chooses to forgo treatment, even though there is a high probability of her being cancer-free after the treatment.
- As social workers, we believe in the client's right to self-determination.

Ethical vs. Moral Dilemma

- We may be faced with serving a client who has chosen to terminate her unplanned pregnancy which may be in direct conflict with our own personal values and beliefs.
- Remember that we must give precedence to our professional responsibilities over our own personal beliefs because clients have a right to self-determination.

Ethical vs. Dilemma

- You may be asked to serve a client who is requesting emergency contraception even though that goes against your religious beliefs.
- In the past, ADPH has worked diligently to assist employees who find themselves in this particular dilemma. Some employees have requested transfers into other positions to avoid this personal dilemma.

Decision Making:

- What do we do when we're faced with an ethical dilemma?
 - A. Consult the code
 - B. Consult the law
 - C. Seek supervision or legal consultation
 - D. Make the choice that will inflict the least harm

Wrapping It Up...

- Our code of ethics is there to serve as a tool or a guide
- It does not, nor will it ever replace professional judgment
- True ethical dilemmas are very difficult to resolve
 - There are no right decisions or wrong decisions
- We must make the choice that will inflict the least harm

Wrapping It Up...

- Seek Supervision
- Seek Legal Consultation
- Seek Peer Reviews / Support
- Although there have been a few revisions, the primary components of the Social Work Code of Ethics has been providing practice guidance and protecting the public for over 50 years