Chapter 20

The ethics of social work practice

Phillip Swain and Andrew Day*

Chapter summary

Introduction

Ethics in practice

The need for an 'informed consent'

Self-determination

Maintaining confidentiality

Situations where consent to disclosure of information is implied Situations when disclosure of information is required or prohibited

... and the related duty to warn

Multiple relationships

Do social workers have a duty of care?

Discussion

Conclusion

Key learning points

Questions for consideration

Additional reading

Websites

References

Notes

Chapter summary

Social work holds dear the principles of the dignity and worth of each individual. These principles can be applied to social practice when the social worker facilitates self-determination and empowerment, respects diversity, and promotes social justice. Care should also be taken to safeguard confidentiality, respect colleagues, and take responsibility for one's own professional conduct. These principles and terms are ones with which social workers are readily familiar and use every day and which are embedded in the 2010 AASW *Code of Ethics*. This chapter considers the key ethical principles that are viewed by the social work profession and its practitioners as hallmarks of good professional practice and discusses how they apply to social workers.



THE ETHICS OF SOCIAL WORK PRACTICE

- Smith, D and Fitzpatrick, M, 1995, 'Patient-therapist boundary issues: An investigative review of theory and research', 26 Professional Psychology Research and Practice 499–506.
- Strom-Gottfried, K, 1999, 'Professional boundaries: An analysis of violations by social workers', 80(5) Families in Society The Journal of Contemporary Human Services 439–49.
- Swain, P, 1994, 'But What happens If...'? Quasi-Legal Considerations for Social Work Student Field Placements', 47(2) Australian Social Work 13–16.
- Swain, P, 1996, 'Social Workers and Professional Competence A Last Goodbye to the Clapham Omnibus?', 4 Torts Law Journal 41–59.
- Swain, P, 2006, 'A camel's nose under the tent? Australian Perspectives on Confidentiality and Social Work Practice', 36(1) *British Journal of Social Work* 91–107.
- Swain, P and Hicks, H, 2007, 'Direct, facilitate, enable the juxtaposition of duty of care and duty to disclose in professional social work field education', 26(1) Social Work Education 69–85. Thompson, N, 2000, Understanding Social Work Preparing for Practice, Palgrave, New York.
- Vandervort, F, Gonzalez, R and Faller, K, 2008, 'Legal ethics and high child welfare worker turnover: An unexplored connexion', 30 *Children and Youth Services Review* 546–63.
- Zur, O, 2011, Dual Relationships, Multiple Relationships & Boundaries In Psychotherapy, Counseling & Mental Health http://www.zurinstitute.com/dualrelationships.html>.

Websites

No claim is made as to the accuracy or authenticity of the content of the sites suggested in this chapter. Site addresses change – if the address is no longer accurate, search using keywords or the title of the organisation concerned.

Australian Association of Social Workers < www.aasw.asn.au>

References

- AASW, 2010, Code of Ethics, Australian Association of Social Workers, Canberra.
- Albers, D and Morris, R, 1990, 'The Professional Secret or the Profession's Secret Social Workers' Knowledge and Attitudes Toward Confidentiality', 7(1) Canadian Social Work Review 11–26.
- Alston, M and McKinnon, J, 2001, Social Work Fields of Practice, Oxford University Press, Melbourne.
- Astor, H and Chinkin, C, 1992, Dispute Resolution in Australia, Butterworths, Sydney.
- Banks, S, 2001, Ethics and Values in Social Work, Palgrave, Basingstoke.
- Bates, F, Blackwood, J, Boersig, J and McPhee, J, 1996, *The Australian Social Worker and the Law*, 4th edn, Law Book Co, Sydney.
- Beckett, C and Maynard, A, 2005, Values and Ethics in Social work An Introduction, Sage, London.
- Bernstein, B, 1981, 'Malpractice: Future Shock of the 1980s', AQ: 62(3) Social Casework 175-80.
- Briskman, L and Noble, C, 1999, 'Social Work Ethics: Embracing Diversity', in Pease, R and Fook, J (eds), 1999, *Transforming Social Work Practice*, Allen & Unwin, Sydney.
- Carvan, J, 1995, Social and Welfare Law, Butterworths, Sydney.
- Charlesworth, S, Turner, JN and Foreman, S, 2000, Disrupted Families The Law, Federation Press, Sydney.
- Clark, C, 2006, 'Against Confidentiality? Privacy, Safety and the Public Good in Professional Communications', 6(2) *Journal of Social Work* 117–36.
- Congress, E and McAuliffe, D, 2006, 'Social work ethics Professional Codes in Australia and the United States', 49(2) *International Social Work* 151–64.
- Dolgoff, R, Loewenberg, F and Harrington, D, 2004, Ethical Decisions for Social Work Practice, Brooks Cole, Belmont.

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- Gewirth, A, 2000, 'Confidentiality in Child Welfare Practice', 75(3) Social Services Review 479-89
- Gottlieb, MC, 1993, 'Avoiding exploitative dual relationships: a decision making model', 30 Psychotherapy 41–8.
- Gray, M and Gibbons, J, 2007, 'There are no answers, only choices: teaching ethical decision making in social work', 60(2) *Australian Social Work* 222–38.
- Gripton, J and Valentich, M, 2003, 'Dealing with non-sexual professional-client dual relationships in rural communities', paper presented at the *International Conference on Human Services in Rural Communities*, 29–30 May, Halifax, Canada.
- Holzer, P and Lamont, A, 2009, Australian child protection legislation. Resource Sheet No. 14, National Child Protection Clearinghouse, Australian Institute of Family Studies.
- Kagle, J and Kopels, S, 1994, 'Confidentiality after Tarasoff', 19(3) *Health and Social Work* 217–22.
- Linzer, N, Conboy, A and Ain, E, 2003, 'Ethical Dilemmas of Israeli Social Workers', 46(1) International Social Work 7-22.
- Lord Nelson, L, Summers, J and Turnbull, A, 2004, 'Boundaries in Family-Professional Relationships: Implications for Special Education', 25(3) Remedial and Special Education 153–65.
- Lundy, C, 2004, Social work and social justice a structural approach to practice, Broadview Press, Ontario.
- Mattison, D, Jayaratne, S and Croxton, T, 2002, 'Client or former client? Implications of ex-client definition on social work practice', 47(1) *Social Work* 55–64.
- McGowan, B and Mattison, M, 2000, 'Professional Values and Ethics', in Mattaini, M, Lowery, F and Meyer, C (eds), 2000, *The Foundations of Social Work Practice*, NASW Press, Washington.
- Millstein, K, 2000, 'Confidentiality in Direct Social Work Practice: Inevitable Changes and Ethical Dilemmas', 81(3) *Families in Society* 270–82.
- O'Connor, I, Wilson, J and Setterlund, D, 2003, *Social Work and Welfare Practice*, 4th edn, Pearson Longman, Sydney.
- O'Donoghue, K, 2003, *Restoring Social Work Supervision*, Dunmore Press, Palmerston North. O'Sullivan, T, 1999, *Decision Making in Social Work*, MacMillan, London.
- Parry, J, 1981, 'Informed consent; for whose benefit?', 62(9) Social Casework 537-42.
- Pescosolido, B and Miller, E, 1999, 'Of nerds, ardent suitors, and lecherous professors', in Pescosolido, B and Aminzade, R, 1999, *The Social Worlds of Higher Education*, Pine Forge Press, Thousand Oaks.
- Reamer, F, 1994, Social Work Malpractice and Liability, Columbia University Press, New York.
- Reamer, F, 1998, Ethical Standards in Social Work A Critical Review of the NASW Code of Ethics, NASW Press, Washington DC.
- Reamer, F, 1999, Social Work Values and Ethics, 2nd edn, Columbia University Press, New York.
- Reamer, F, 2001, Ethics Education in Social Work, Council on Social Work Education, Alexandra.
- Reamer, F, 2003, 'Boundary issues in social work: managing dual relationships', 48(1) Social Work 121–33.
- Regehr, C and Antle, B, 1997, 'Coercive Influences: Informed consent in court-mandated social work practice', 42(2) *Social Work* 300–6.
- Scopelliti, J, Judd, F, Grigg, M, Hodgins, G, Fraser, C, Hulbert, C, Endacott, R and Wood, A, 2004, 'Dual relationships in mental health practice: issues for clinicians in rural settings', 38 *Australian and New Zealand Journal of Psychiatry* 953–9.
- Skene, L, 1990, You, Your Doctor and the Law, Oxford University Press, Melbourne.
- Starin, C, 2006, 'Clients role choices: unexpected factors in intervention decisions', 34(1) Clinical Social Work Journal 101–19.
- Strom-Gottfried, K and D'Aprix, A, 2006, 'Ethics for Academics', 25(3) Social Work Education 225–44.

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Wilson, S, 1978, Confidentiality in Social Work, Free Press, New York.

Younggren, J, 2002, Ethical Decision-Making and Dual Relationships <kspope.com/dual/younggren.php>.

Notes

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- 1 Available at <www.aifs.gov.au/nch/pubs/sheets/rs3/rs3.html>.