

PRACTICE AND POLICY FOCUS

What's the Risk? Ethics and Social Work

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Do you use, or are you considering using, nontraditional or unorthodox interventions in your practice?

Are some of these interventions in a "gray area" where solid empirical evidence may not yet exist as to their effectiveness?

Do you know what strategies you can adopt to protect your client from harm and yourself from potential ethics complaints or lawsuits?

According to *Nontraditional and Unorthodox Interventions in Social Work: Ethical and Legal Implications*, by Frederic G. Reamer, all professions and industries prize innovation as a way to deliver a better product or service to a customer or client — social work is no different. Social workers look to find new ways to help people, sometimes utilizing nontraditional and orthodox interventions. Your challenge as a practitioner is to decide which nontraditional approaches offer potential help to your clients and which may cause harm to them and expose you to risk.

Some interventions are always clearly unethical (e.g., a sexual relationship with a client). However, some interventions are in a "gray area" where reputable

scholars in the field can legitimately disagree on whether they are effective and ethical.

If you are considering using these nontraditional interventions, there are a number of actions you, as a practicing social worker, can employ to avoid harming your client and mitigate the risk of ethics and malpractice complaints and criminal charges. Employing a *procedural standard of care*, the steps a prudent and reasonable social worker would take, can protect you and your clients from harm. The eight key elements of this approach include the following:

Consult your colleagues, particularly those with an expertise in and knowledge of the use of the intervention you are considering.

Obtain proper informed consent from the client before embarking on the intervention. Make sure to write the consent clearly with risks identified, limits to the services provided and allowances for the client to withdraw consent at any time.

Obtain proper supervision of your work, particularly from supervisors who have knowledge and experience concerning the intervention utilized.

Review ethical standards in the *NASW Code of Ethics* to ensure that you meet prevailing ethical standards, specifically

concerning the issue of demonstrated competence in the chosen intervention strategy.

Review regulations, laws and policies to ensure you are compliant with state and federal laws and regulations.

Review relevant literature pertinent to the interventions to make sure you are complying with current standards in the field.

Obtain legal consultation from sources in malpractice law that are knowledgeable, as the use of nontraditional and unorthodox interventions increases your exposure to legal risks.

Document and evaluate the services you provide. You will enhance the quality of care and you will be protecting yourself in the event of an ethics complaint or lawsuit.

In order to protect both your client and yourself, it is imperative for you to take appropriate steps to mitigate such potential events.

From Vol. 87, No. 2 by featured author, Frederic Reamer

To gain insight from relevant case studies and to learn more about specific courses of action you might take, please review the full article at www.familiesinsociety.org.



Featured Author: Frederic G. Reamer



About the Author

Frederic Reamer is currently a professor at the Rhode Island College School of Social Work. His areas of interest focus on professional and social work ethics as well as social welfare policy, social work research and evaluation, human behavior, and criminal justice.

A prolific writer in the scholarship of social work ethics, Dr. Reamer was the chair of the National Association of Social Workers (NASW) *Code of Ethics* 1999 revision committee.

He has also assumed many positions in the field including social worker in various correctional settings; director of the National Juvenile Justice Assessment Center, U.S. Department of Justice; and senior policy advisor, Rhode Island Governor's Office.

Ethical and Legal Standards in Social Work: Consistency and Conflict

(*Families in Society*, 2005)

Social workers frequently encounter circumstances involving ethical and legal issues. In many instances, relevant ethical and legal standards complement each other; however, in some circumstances, ethical and legal standards conflict. This article provides a comprehensive overview of the relationship between U.S. ethical and legal standards in social work. Presented is a conceptually based typology of 4 types of relationships between legal and ethical standards, and a decision-making framework designed to enhance social workers' constructive management of difficult decisions involving ethical and legal standards.

Managing Ethics Under Managed Care

(*Families in Society*, 1997)

Increasingly, clients who walk in the front door with complex and, at times, overwhelming needs are being shown the exit far too soon, often before social workers have had an opportunity to provide quality care. Various cost-containment efforts, principally in the form of managed care, have changed the way in which clinical social work services are provided. As the all-too-familiar refrain goes, social workers and their clients have to learn how to do more with less.

Social Services in a Conservative Era

(*Social Casework*, 1983)

Efforts to streamline government involvement in social welfare are certainly worthwhile, especially when they are motivated by a concern to improve the quality, efficiency, and availability of social services. Yet, no matter how successful a conservative administration is in its attempt to shift responsibility for social services away from the federal government, it is safe to assume that government agencies will continue to play an

important part in the design and delivery of social services in this country. It is therefore incumbent upon professionals whose activities touch upon social welfare policy to be mindful of the delicate balance that must be struck between government and private sector responsibility for human well-being.

Conflicts of Professional Duty in Social Work

(*Social Casework*, 1982)

The conflicts of professional duty faced by social workers present practitioners with choices that are often difficult. They will not always make the right decisions and will not always do what is in the best interests of their clients, colleagues, and the public. Yet, it is social workers' commitment to making right choices that is the principal virtue of the profession.

Ethical Content in Social Work

(*Social Casework*, 1980)

Concern with ethical issues in social work is not new; throughout the history of the profession, practitioners have been concerned about the moral aspects of their relationships with clients. The nature of this concern has changed, however, in response both to stages in the maturation of the profession and to broader historical and political developments. Concern with ethical issues in social work has shifted from an emphasis on the morality of the client to moral aspects of the practitioner's behavior and of the social work profession.



Upcoming Topics

"Revisiting Unplanned Termination: Clinicians' Perceptions of Termination From Adolescent Mental Health Treatment"



Families in Society continues to provide its readers in clinical practice with the latest research and analysis of new practice methods and outcomes. In the April-June 2006 issue, Dr. Diane Mirabito discusses the process of unplanned termination, or treatment dropout, as experienced and described by clinicians. Factors included in this complicated interplay of client, clinician, and clinic were normative aspects of adolescent development, the ways clinicians conducted treatment, and organizational aspects of the agency context. Despite the many reasons why unplanned termination occurs, the author feels clinicians need to take a greater proactive role in orchestrating the termination process with adolescents. Recommendations for practice include: reconceptualization of termination; development of collaborative contracts between clients and clinicians; use of diverse, time-limited treatment strategies; parental involvement and use of family interventions; and development of an organizational culture to support treatment review and closure.

Dr. Mirabito is on the faculty of New York University and teaches courses in clinical practice with adolescents and crisis and short-term interventions. Her professional career includes extensive experience in clinical practice, supervision to social work staff and students, and program development in a variety of healthcare, school, and community-based agency settings.

A teleconference based on this article will be scheduled in September 2006.

To register, send an email to members@familiesinsociety.org.

Working But Poor: Next Steps for Social Work Strategies and Collaborations

Increasingly, many low-income working individuals and families confront significant challenges in their ability to remain economically self-sufficient. For example, low wages, shortage of affordable housing, closure of manufacturing plants, corporate downsizing, job outsourcing, health problems, reading and financial illiteracy, language barriers, gender and racial discrimination, and natural disasters keep millions of workers or potential workers of all ages in a constant state of economic flux. A substantial portion of these individuals, referred to as "working but poor", or "the working poor", rotate in and out of social service agencies seeking assistance in coping with everyday challenges emerging from insufficient social and/or financial capital.

For this special focus in 2007, *Families in Society* is soliciting manuscripts, essays, and case studies containing research, policy, or practice interventions relating to affected individuals and families. Practitioner challenges and agency strategies to work with service requests from clients or consumers are especially welcome, as are empirical research and program evaluation reports.

Visit www.familiesinsociety.org/new/workingpoor.htm for more information.



Family Foster Care Around the World

Coming in the October-December 2006 issue, contributions from researchers, practitioners, and foster care parents and children around the world provide new information and perspectives on this increasingly utilized out-of-home care approach.

In addition to social work researchers and educators, those that can benefit from this collection include child welfare administrators and staff, foster families and foster parent associations, foster youth, and biological families.

Articles featured in this special focus include submissions from the United Kingdom, Canada, Turkey, France, Kenya, New Zealand, Australia, and the United States. Read the article abstracts online: visit "Journal Content" on www.familiesinsociety.org.



ABOUT FAMILIES IN SOCIETY

Families in Society is the Alliance for Children and Families' publication for human service professionals and links scholarship in social work and the social sciences to the world of practice. The articles in FIS represent the art and science of social work and other helping professions, and are at the forefront of emerging issues and trends in the field.

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