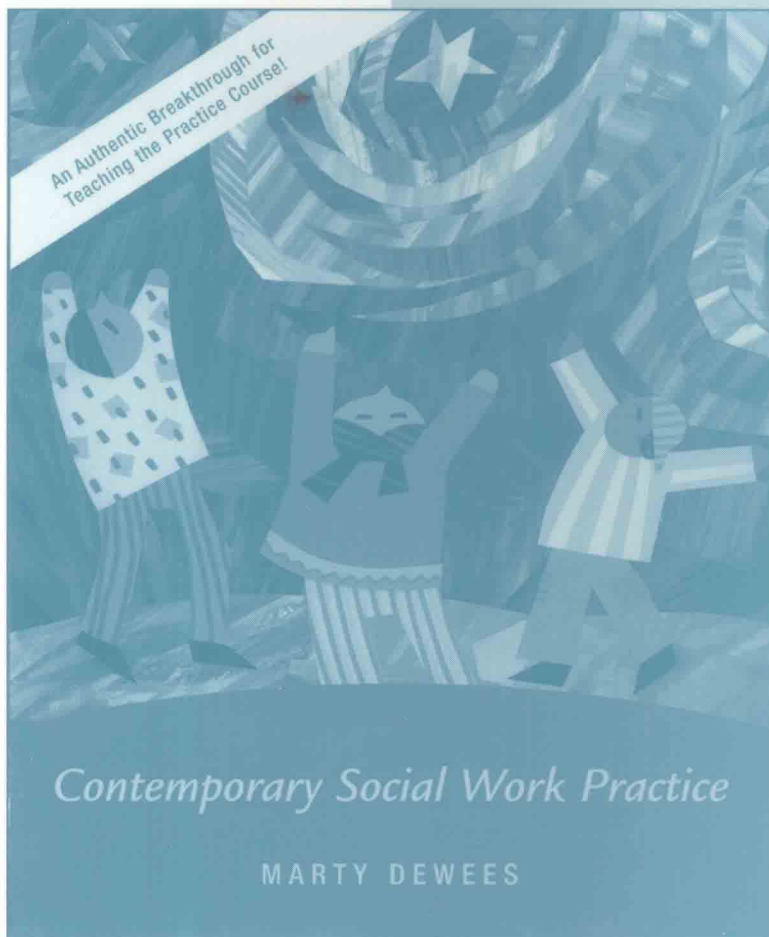


Helping You Achieve the CSWE
Accreditation Standards on Ethics!

Ethics in Social Work Practice:
A Primer
to accompany



Prepared by
Kim Strom-Gottfried

ETHICS IN SOCIAL WORK PRACTICE: A PRIMER

Kim Strom-Gottfried

University of North Carolina, Chapel Hill



Boston Burr Ridge, IL Dubuque, IA Madison, WI New York San Francisco St. Louis
Bangkok Bogotá Caracas Kuala Lumpur Lisbon London Madrid Mexico City
Milan Montreal New Delhi Santiago Seoul Singapore Sydney Taipei Toronto

The **McGraw-Hill** Companies

McGraw-Hill Higher Education

Ethics in Social Work Practice: A Primer
Kim Strom-Gottfried

Published by McGraw-Hill Higher Education, an imprint of The McGraw-Hill Companies, Inc.,
1221 Avenue of the Americas, New York, NY 10020. Copyright © 2006 by
The McGraw-Hill Companies, Inc. All rights reserved. Printed in the United States of
America. Except as permitted under the United States Copyright Act of 1976,
no part of this publication may be reproduced or distributed in any form or by any means,
or stored in a database or retrieval system, without prior written consent of the publisher.

1 2 3 4 5 6 7 8 9 0 BKM/BKM 0 9 8 7 6 5 4

ISBN 0-07-312154-1

www.mhhe.com

About the Author

Dr. Kim Strom-Gottfried is a Professor at the UNC-Chapel Hill School of Social Work where she teaches in the areas of direct practice, communities and organizations, and human resource management. Kim's scholarly interests involve ethics, managed care, and social work education. She is an Ethics Fellow with the University of North Carolina Institute on the Arts and Humanities and the former chair of the National Association of Social Workers' National Committee on Inquiry. Kim is active in training, consultation and research on professional ethics and is the author of numerous articles and book chapters on the topic.

Ethics in Social Work Practice: A Primer
Kim Strom-Gottfried, Ph.D.

Welcome to the Primer on Ethics! This little book is provided as a companion to your introductory social work text to help advance your knowledge of values and ethics and to further build your skills and confidence in ethical decision making. After a brief review of values and ethics, we'll introduce a framework for decision making, and we'll discuss strategies for overcoming some of the obstacles to acting ethically. We'll then review some of the challenges you are likely to encounter either as a beginning social worker or as someone contemplating this profession. Throughout the primer, you'll be presented with a variety of dilemmas, followed by a discussion about how to successfully examine and resolve them. The primer concludes with a list of Internet resources on ethics that may be of interest at this stage in your professional development.

Contents

1. Values and Ethics 1

- Ethical Theories 3
- The Role of Laws 4
- Contextual Decision Making 4
- What about the Cheating Classmate? 5
- Professional Ethics 6

2. Ethical Decision Making 8

- Identify the Ethical Issues 8
- Identify the Affected Individuals, Groups, and Organizations 9
- Identify all Viable Courses of Action 9
- Examine These Choices and the Reasons 10
 - Weighing Ethics with Professional Codes 11
 - Applying the NASW Code 12
 - Laws and Regulations 13
 - Ethical and Clinical Theories 14
- Consult with Colleagues and Appropriate Experts 14
- Make the Decision and Document the Process 16
- Monitor, Document, and Evaluate 16

3. Acting on Ethical Decisions 17

- Moral Courage 17
- Moral Courage in Action 18
- Effective Organizational Change 20
- Applying Organizational Change 21

4. Ethical Dilemmas in Work with Individuals 23

- Guess Who's Coming to Visit? 23
 - Dual Relationships 23
 - Confidentiality and Competence 24
 - Conclusion 26
- Where There's a Will, There's a Way 26
 - Stakeholders and Options 27
 - Principles, Policies, and Theories 28
 - Conclusion 29
- Risky Business 30
 - Stakeholders and Options 31
 - Ethics, Laws, and Theories 32

Acting on Her Decision 32
Conclusion 33

5. Ethical Dilemmas in Work with Couples and Families 34

I Only Have Eyes for You 34
Options 35
Conclusion 35
To Tell the Truth 36
To Tell or Not To Tell? 36
Conclusion 37
Who's Your Daddy? 37
Conclusion 39

6. Ethical Dilemmas in Work with Groups 40

Here Today, Gone Tomorrow 40
Conclusion 41
Fighting Mad 41
Informed Consent 41
Duty To Warn 42
Honesty and Confidentiality 42
Conclusion 43

7. Ethical Dilemmas in Work with Organizations and Communities 44

Creative Bookkeeping 44
Stakeholders and Options 44
Conclusion 46
The Team Player 46
Dual Relationships in Supervision 47
Integrity 47
Conclusion 48
The Candidate 48
Discrimination 49
Social and Political Action 49
Options 50
Conclusion 51

Summary and Resources To Learn More 52

Bibliography 54

Chapter One

Values and Ethics

Our journey must begin with an understanding of values and ethics. What does it mean to be ethical? Is being ethical in your personal life the same as being ethical in your chosen profession? What is an ethical dilemma? How can we choose the right course of action when we are confronted with such a dilemma? Understanding values and ethics will help you get started on the voyage to answer these questions.

Values refer to our beliefs about how things ought to be, about what is important and what is right and wrong. As individuals, our values originate with and are shaped by our upbringing, faith, community, education, experiences, and the people who play influential roles throughout our lives. We all hold certain values more closely than others. Some values remain constant and firm, while others evolve over our lifetime or exist as preferences rather than as fixed directives.

As with individuals, the profession of social work has values that stem from the origins of the discipline. These underlying values distinguish social work from other fields, and they guide our practice as social workers. For example, social work values both the dignity and worth of all individuals and service to others. These values are reflected in principles of practice such as putting our clients' needs before our own, treating people in a sensitive and respectful manner, and working to meet fundamental human needs. The awareness of values means we must be cognizant of the values held by our clients, by the organizations that employ us, and by the societies in which our work is situated (Levy, 1984). As you might imagine, there are abundant opportunities for conflict as we try to reconcile disparate beliefs among any of these groups. For aspiring social workers, the most fundamental challenge usually involves reconciling our personal values with those of the profession, determining in the process whether we can accept the profession's ideals and live by them throughout our careers.

Ethics refers to the embodiment of values into guidelines for behavior. **Codes of ethics** go one step further to describe these behaviors in the form of standards or "shared reference points" that apply to all people who subscribe to a particular code (Kidder, 1995, p. 99). Therefore, a corporation's code of ethics would apply to its employees, a profession's to its members, and a regulatory board's to its licensees.

At its core, ethics involves doing the right thing in a given circumstance—behaving ethically. The challenge comes, of course, in defining "the right thing." The determination of what is ethical is shaped by many forces, some of which conflict with one another. **Ethical dilemmas** come in all

shapes and sizes, and they arise when two or more principles contradict each other or when ethical standards conflict with professional responsibilities. The most difficult dilemmas involve life-and-death questions that invoke law, religion, or personal beliefs and involve a number of individuals with a stake in the outcome. An example is a patient who declines to undergo a life-saving medical procedure because of her religious beliefs. Should her beliefs and personal autonomy be honored even if doing so will ultimately result in her death? Conversely, should the beliefs of her medical team and the opinions of the courts that hear her case carry more weight than her own convictions? These are difficult and complex questions that occasionally rise to the level of national attention and debate.

More often, though, we are presented with ethical dilemmas that are smaller in scope but no less difficult to resolve. For example, you notice that a department store clerk has two black eyes, and you conclude that she is the victim of partner violence. Should you intervene and try to talk with her about her condition? Perhaps by doing so you would let her know someone cares and you could alert her to available support services. At the same time, however, there is always the possibility that she will consider your comments to be out of line. In addition, what if you are wrong (or are right) and merely add to her shame either way? Besides, you're just a fellow citizen with no obligation to put yourself on the line in this situation. Why don't her friends or coworkers reach out to her instead of you?

What about ethics in the classroom? Perhaps you know that a classmate's boyfriend wrote her policy paper for her. The honor standards are clear, and they indicate that it is each student's responsibility to uphold the honor code by not participating in dishonesty and by reporting others when they do. Should you report her? Why is it your problem? What if the professor won't believe you or won't do anything even if she does believe you? Other people know what's going on, and they aren't saying anything. Maybe the student has been sick, and this is just an isolated incident of her using her boyfriend's help to get through a difficult time. The consequences could be serious for your friend, maybe even leading to her expulsion. Maybe you should overlook the incident or search for a reasonable explanation? At the same time, however, failing to follow the honor code is unfair both to other students who follow the code and to those students who previously have been punished for not following it. In addition, why have a code if there is always an exception, always a rationale not to uphold it?

These brief examples illustrate several important points about ethics. First, dilemmas can crop up without warning throughout our daily lives. Second, to resolve these dilemmas we must weigh a number of factors before choosing a course of action, although we usually don't have much time to do

so. Nevertheless, the better informed we are about values and the more thoughtful we are about ethical decision making, the more likely we are to act ethically when we are confronted with a dilemma.

Ethical Theories

Let's take the case of your fellow student and examine it more closely. The decision and the rationale used to discern the "right thing" in this case involve ethical decision making. Some people who subscribe to **rule ethics** or **deontological** perspectives would maintain that the specific circumstances of the situation should not affect the ethical decision (Rachels, 1993). "A rule-deontologist uses established standards for choosing, judging, and reasoning morally before responding to an ethically troubling situation" (Davis, Aroskar, Liaschenko, & Drought, 1997, p. 51). If the honor code states that it is unethical to observe cheating and not report it, then the reasons why your classmate was cheating don't matter. Neither do your concerns about what the professor will do or how your classmate will treat you if she finds out that you reported her.

In contrast, other people would evaluate the appropriateness of the action based on the ends or the outcomes; that is, they would consider the circumstances of the case in determining the correctness of an action (Reamer, 1999). People who adhere to this **utilitarian** approach are **consequentialists** or **teleologists**. In this case, they would appraise the situation, weigh the intent of the code and the intentions of the classmate, consider the impact of their choices on others, and determine what harm or good might come from their actions. This approach, of course, requires them to examine all the consequences, not just for the individuals involved, but also for the educational climate and society as a whole. What does it mean to have rules if they all are negotiable or can be waived just because others who know about violations decide to look the other way?

Another school of thought, called **care-based thinking**, would have us decide what to do by considering how we ourselves would like to be treated (Kidder, 1995). For example, if we were in the shoes of the cheating classmate, we might wish that friends would look the other way. If we consider the situation more closely, however, is ignoring the problem ultimately the most compassionate or helpful response? Perhaps we would want someone to intervene if the intervention might prevent us from committing more serious transgressions down the road.

As you can see, these different traditions in moral philosophy bring us to different conclusions about our dilemma. This uncertainty can be aggravating for social workers who want clear, unambiguous answers. In fact, you may be wondering why you should consider these viewpoints if they all lead in different directions. In fact, viewing a dilemma through different ethical

lenses is valuable precisely because this process generates multiple perspectives and options that help to advance our reasoning in examining and selecting a course of action.

The Role of Laws

Sometimes people respond to the ambiguity of ethical decision making by simply deferring to the law. The major limitation of this approach is that you will encounter many actions and situations in both your personal and your professional life that are not covered by the law. In the classroom situation, for example, it is not illegal to get help with an assignment, nor is it illegal to keep it to yourself if you think someone is cheating. Nonetheless, does this fact by itself justify your refusing to report the cheating student? Going further, even in situations where the law applies, it may not provide an appropriate guide to ethical action. For example, it's not illegal to tell all the residents of a group home that one person has a sexually transmitted disease, but is it right to do so?

Sometimes, the law itself can be part of the problem. For example, a law may compel you to identify clients who are in the country illegally to the Immigration and Naturalization Service (INS). However, doing so would certainly violate the client's right to confidentiality, and it might deter him or her from seeking help, perhaps even in life-threatening conditions. The NASW *Code of Ethics* states that when policies or laws conflict with ethics, "social workers must make a responsible effort to resolve the conflict in a manner that is consistent with the values, principles, and standards expressed in this code. If a reasonable resolution of the conflict does not appear possible, social workers should seek proper consultation before making a decision" (NASW, 1999, pp.3-4). The code thus presents social workers with the possibility that, following a sound decision-making process, they may choose the code over the law, following the profession's rich tradition of civil disobedience. Clearly, as the code suggests, this is not a step to be pursued lightly, frequently, or carelessly.

Finally, laws, at their essence, provide only a minimal guide for acceptable behavior. Therefore, following laws is not the same as being an ethical person (Cohen & Cohen, 1999). In fact, in acknowledging the shortcoming of law as guidance for action, one prominent social worker defined ethics as "obedience to the unenforceable" (Moulton, 1924). In other words, ethics are guidelines for the situations in which we enforce the laws upon ourselves.

Contextual Decision Making

Usually, the complexity of a decision emerges in the details. Decisions that on their face may appear simple become more difficult when other factual

elements are introduced. For example, it is unethical to allow a client to harm himself. However, what if the client is gravely ill with a terminal illness? What if the client is in excruciating pain that is not diminished by medication? What if the client lives in Oregon where assisted suicide is legal? What if he has pursued his rights under that statute and has passed the tests for competence and the absence of coercion or clinical depression? What if his family supports his decision even though they grieve the prospect of his death? Is it still ethical for the clinician to intercede to keep the client from carrying out his wish to die with more dignity than he foresees if he lets nature take its course? The devil is in the details.

Challenges occur in those situations when standards collide, or when the standard fails to offer clear guidance for action. In these situations, “doing the right thing” involves examining the array of options available in upholding the ethical standard and considering, within that particular context, the most ethical course of action. But appreciating context doesn’t mean that anything is acceptable as long as you can rationalize it. Rather, it means that, though there are many things to consider in sorting out the proper choice, some choices will be more ethically sound than others.

Sometimes, newcomers to the profession read all this information and become exasperated at the lack of a clear answer: “Is it right or not? Just tell me what to do, and I’ll do it!” Or, they conclude that ethics are situational—if everything is relative, then any action can be justified. In fact, neither conclusion is valid. Ethical standards provide us with guideposts for action in our professional lives. Knowing what they are and what they mean is an essential first step in ethical practice.

What About the Cheating Classmate?

Where does all this leave us regarding your cheating classmate and your obligations to report her? Did you understand and agree to abide by the honor code when you began your educational program? Can your classmate’s actions reasonably be considered a violation of that code? Are your reasonably certain that your information on what she did is inaccurate? If these points are true, it would appear that you are expected to act on what you know.

How you do this and what happens from there are your next concerns. Is there someone with whom you might consult about how to make this report? Can you seek out others who may be willing to act with you? Although you may have no control over how the information is used, you might benefit from understanding the process that will result from your complaint. None of this is easy. It would be easier to look the other way or to let someone else act rather than invite the enmity of your classmate(s) and put your personal well-being at risk. However, ethics isn’t simply a matter of doing what is right; it is also a

matter of standing up for what is right. Throughout our careers we will encounter situations in which we can either do the right thing or look the other way. For this reason, we will discuss “doing the right thing” under unpleasant circumstances later in this primer.

The appropriateness of reporting cheating or reaching out to a store clerk who you believe has been assaulted exemplify questions of **personal ethics**—that category of ethics that governs how we conduct ourselves in our daily lives, in our interactions in the workplace, in our relationships with friends and family, and in the larger society. The guidelines for personal ethics and their application are a compelling topic and are addressed nicely in other sources, from etiquette columns to texts such as *The Good, the Bad, and the Difference* (Cohen, 2002) and *Ethics for Everyone: How to Raise your Moral Intelligence* (Dobrin, 2002). Our focus, however, is on professional ethics, particularly as they apply to the field of social work.

Professional Ethics

Professional ethics involve those standards that guide our professional practice. It is important to be aware that different considerations come to bear in the dilemmas we encounter when acting in our professional capacity than in the dilemmas we face in our personal lives. Developing a commitment to the ethics of our discipline and an understanding of how these ethics apply to commonly occurring workplace situations is a core element of professional preparation. Integrating our professional ethics with our personal ethics is another important part of the process. For example, how will a person who generally embraces the philosophy “live and let live” or “to each his own” reconcile this philosophy with a professional role that may require confronting a client about parenting practices or household hygiene? When we accept membership in a profession, we also accept the values and standards of that profession, as they are expressed in codes of ethics and the credos of our professional organizations. The process of professional acculturation helps people decide if they can embrace the values and standards of their chosen fields. Those who find themselves in constant conflict with the core beliefs of the profession usually change disciplines.

Even when we embrace the profession’s standards, we may still encounter situations in which our personal beliefs conflict with our professional ethics. Ethical practice, then, requires constant attention to the intersection of the two. If you personally believe that gambling is wrong, can you still assist your client who chooses to spend his insurance settlement on trips to a casino? Our helping profession supports client self-determination in all but the most exceptional of circumstances. Clearly it would be unethical to say, “I can’t work with you because you are making life decisions that violate my moral

standards.” We may say, “I’m concerned about your choice, and here’s why,” but our statements should never rise to the level of threats or coercion. Moreover, our concerns should be based on the legitimate dangers involved, not simply an argument of whether certain behaviors are right or wrong.

The principles of acceptance and nonjudgmental practice require us to separate what we would choose or how we would want to live from the choices our clients make. And, for the most part, our service to our clients is not contingent on our approval of their choices, although on occasion the criteria for receiving service are grounded in program policies and sound clinical practice. For example, the client who uses drugs may no longer be eligible to attend a therapeutic group. Employing such an organizational standard isn’t the same as imposing our personal values on clients or selectively applying only those professional ethical principles we agree with.

Ethical practice requires a high degree of self-knowledge and a high level of comfort in communicating with other professionals to ensure that we’re acting according to the norms of the field rather than our individual preferences. It also requires agility in identifying ethical dilemmas and the willingness to address what often are not simple right/wrong decisions, but rather cases where there seem to be no good or easy answers. How we do this is the subject of the following section.

Chapter Two

Ethical Decision Making

In these introductory texts and throughout your career, you will encounter an array of decision-making models to employ when you are faced with ethical dilemmas (Congress, 1999; D'Aprix, Boynton, Carver & Urso, 2001; Loewenberg, Dolgoff & Harrington, 2000), and you will find that they have many features in common. The following is a comprehensive, user-friendly model that we will employ in this primer. The steps are as follows:

1. Identify the ethical issues, including the social work values and duties that conflict.
2. Identify the individuals, groups, and organizations likely to be affected by the ethical decision
3. Tentatively identify all viable courses of action and the participants involved in each, along with the potential risks and benefits for each
4. Examine these choices and the reasons for and against each. How do they fit with ethics? Social work practice theory? Your principles? Any rules or laws that apply?
5. Consult with colleagues and appropriate experts.
6. Make the decision, and document the process that led to it.
7. Monitor, evaluate, and document the decision (Reamer, 1999, pp. 76-77)

Let's examine each more closely.

1. Identify the ethical issues, including the social work values and duties that conflict

This first step requires you to identify something as an ethical issue and discern which elements are in conflict. The ethical dilemma may be caused by a clash of values, by incompatible ethical standards, or by conflicts between your role and responsibilities and some element of ethics or values. We'll use the following case to demonstrate this decision-making framework.

Let's say you visit a family that has been assigned to you for parenting assistance. On your third visit you notice that one of the adults, who your records show is on total disability for a back injury, is cutting wood and carrying it without apparent impairment. You have also seen him holding the children and lugging around sacks of groceries, also with no evident distress.

What are the ethical issues here? One issue is integrity, including your discomfort in knowing about possible deception and not taking action. Another

issue is confidentiality. If the family is engaging in fraud, are there grounds to break their confidentiality by reporting your suspicions?

In addition to the ethical issues, there may be other conflicts, such as the conflict between your assigned role as a parenting adviser and the role you may be assuming as an “investigator”. A conflict could also develop between basic social work values such as believing in the “dignity and worth of the person” and your presumption that the family is engaging in a disability scam. Perhaps your own values are at play here, in that you believe that scarce resources should be reserved for those who need them and you are angry at the thought that this family may be taking what they do not deserve.

2. Identify the individuals, groups and organizations likely to be affected by the ethical decision.

After determining that the dilemma is an ethical one and analyzing the elements in conflict, the next step is to spell out all of the individuals and groups with a stake in the conflict. Your decision making will be enhanced by your understanding of the stakeholders involved and the ways they may be affected by your actions. Note, however, that although many people might be affected by your decision, your client’s needs and interests should be your primary consideration.

In this case the concerned parties include the family, particularly the member whom you suspect of cheating. Also within the family, your concern should include the children, as it is on their behalf that you are working with the adults to improve parenting skills and, ultimately, the overall family environment. Beyond the family, you might consider the stance of your agency in this decision. For example, how will the agency respond if your report about fraud erodes the trust that other families have in letting you and your colleagues into their homes? At the same time, the agency making the disability payments has a stake in your activities as well, because it expects that people receive their disability designation by honest means and that the system will be alerted if this is not the case.

3. Tentatively identify all viable courses of action and the participants involved in each, along with the potential risks and benefits for each.

To effectively examine your choices and the wisdom of each one, you need to get them on the table, generating an array of options without regard for feasibility, probability, or cost. The important part at this phase is to think creatively about a range of possibilities. Consider also the possibility of not taking action. After you have generated a list of options, you should examine the merits of each one. What are the pros and cons of each choice, both in the long run and the short run? How could each option affect those involved?

As you think about your client family and their possible involvement in fraud, what are your options? One option is to do nothing. Another is to question the family about what you are seeing and then confront them if you determine that they are engaged in fraud. You might wait and consult with your supervisor. You also might contact the agency that issued the disability and confirm that the client's behavior belies the disability claim. Perhaps you would report the family's fraudulent use of government funds or pursue other options not considered here.

For each of these choices, you must then ask yourself, what is the impact on everyone involved? For example, doing nothing could make you complicit with the family's fraud. Conversely, addressing the issue could derail you and the family from the focus of your work and erode their trust in you. Did they know that inviting you into their home would permit you to investigate all of the ways they conduct their lives. Questioning the family might help you better understand if you are drawing appropriate conclusions about what you are seeing, but it may similarly threaten their trust in you and distract everyone concerned from the purpose of your work with the family. Perhaps if you have built a strong therapeutic relationship with the family and they understand that you are trying to be helpful, then you can broach this issue sensitively and discuss openly the consequences of deception.

Consulting with your supervisor is always a wise strategy in the face of an ethical dilemma. This approach will provide you with guidance and assurance that you are carrying out your responsibilities fairly. It will also keep you from acting impulsively in the moment, which can be problematic unless the situation is somehow urgent.

Investigating the client's disability claim may be inappropriate for your role, and it likely can't be done without revealing the client's identity and breaking the client's confidentiality. In addition, you must consider what you will do if the client is committing fraud. At the same time, however, investigating the claim could clarify whether the client's apparent fitness is at odds with the disability payments.

Reporting the presumed fraud outright may help conserve scarce government funds and hold the client accountable for dishonesty. If the family is getting assistance by deceptive means, you may be able to share with them your observations and the dilemma they create for you. Perhaps you can share your discomfort with them and engage them in problem solving or alert them to your intent to file a report should they decide not to do so themselves.

4. Examine these choices and the reasons for and against each one. How do they fit with ethics, practice guidelines, your principles, rules, policies or laws?