

FAQ of The NASW Code of Ethics

The NASW Code of Ethics is a long document that provides guidelines for many complicated situations. As a new social worker or a social work student, you may have questions about the Code. I have provided some answers below. However, one must remember that clinical judgment allows us to determine our course of action with each individual case and circumstance. In the areas of ethics, morals, and values, there is often no one correct answer. (See the full NASW Code of Ethics at

<http://www.socialworkers.org/pubs/code/default.asp> .)

1. What is the purpose of listing values as part of a code of ethics?

Sociologists define values as the most abstract level of beliefs in what is moral. Ethics are the particular statements about conduct for a profession. When decision-making about ethics becomes an issue, social workers may rely on the general beliefs of our conduct, as well as be guided by more specific guidelines within the Code.

2. Are there limits to how far a social worker is committed to a client?

Yes, Standard 1.01 mentions the legal obligations social workers have to society. Although social workers occasionally choose to ignore some illegal acts of clients during therapy, we have a commitment to the law, and we are responsible for the consequences of those decisions. Standard 3.09 states that social workers should abide by their commitment to employers, as well. Agency procedures and rules should be followed if they are not in conflict with the Code, which may at times limit our ability to help a client with a specific need.

3. Are there directions that we may use to decide if a client's self determination should be restricted?

Yes, Standard 1.02 states to do so if "in the social worker's professional judgment, a client's actions or potential actions pose a serious foreseeable and imminent risk to themselves or others." A general rule used by many social workers is "dangerous to self or others." Potential and imminent violence must be reported, according to the Tarasoff ruling. (See <http://tinyurl.com/newswtarasoff>.) Rules of behavior in the agency must be enforced. This leads to some different interpretations about self determination, depending on the environment. For example, a social worker may or may not report that a client is selling marijuana if he or she is working in an outpatient setting. But in prisons, drug sales are one of the leading causes of murder within the "walls" and should then be reported.

Standard 4.07 disallows endorsement from clients or soliciting clients informally, as this may create an undue influence.

4. What if I am not sure if a client is capable of understanding "informed consent"?

There are supports available. Psychological testing prior to our services may indicate IQ and ability to understand situations. The mental status exam will give evidence, as well. There is a

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“Kent Intelligence Exam” that is used to give the social worker some evidence that he or she tried to measure the level of client functioning. A team approach also helps.

Also, we need to obtain qualified interpreters for those who need them. (See Standard 1.03 b, 1.14.) It is important that the interpreter be aware of and preferably part of the specific culture of the client, because euphemisms differ among subcultures (e.g., specific meanings differ in Spanish at times, depending on the country of origin).

5. Is therapy over the telephone or by computer allowable?

Yes, but Standard 1.03e states that clients must be made aware of the limitations of distant forms of treatment.

6. Sometimes clients present with problems in areas about which I have little knowledge. What can I do in these cases?

Standard 1.04c states that social workers should “ensure the competence of their work and protect clients from harm.” This standard in the Code originated from Hippocrates. We can refer clients to whom we are not capable of providing good treatment, and we have trainings, formal and informal education, research, consultation, and supervision to support us. At these times, a team approach is helpful. We may transfer a client, but Standard 3.08 tells us that we should minimize difficulties for the client in transfers by giving them adequate notice and explanation. Also, we should assure no duplication of services.

7. What infraction of the Code has resulted in the most negative actions against social workers?

In a 2000 study spanning ten years, author Kim Strom-Gottfried found that poor practice resulted in 160 violations, Sexual misbehavior resulted in 102 violations, and competence issues resulted in 86 violations.

8. How much should I know about diversity and culture to be competent?

In essence, competency means that a social worker is capable of working with clients as they relate to issues in their environment. Their social status, both achieved and ascribed, is a very important part of that environment. It is nearly impossible to be competent with every culture and subculture, but we can understand the theories and issues surrounding oppression, access, social justice, liberty, status liability, and other difficulties faced by all groups. We also can study the groups with which we practice to understand better their particular problems. A good start is to practice the value of “respect for human dignity,” with which people from all cultures relate (see Standard 1.05). Standard 3.08 tells more about continuing education requirements, which at times address these issues. Standard 4.01 tells us more about competence.

9. What if my religious or other basic values conflict with the Code of Ethics in a particular instance?

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Religion, politics, tradition, socialization, and other bases of our value system may have prohibitions or directions that are opposed to our interpretation of the Code. Our Code provides the written professional standards of conduct for social workers. Whereas we may choose to act on other beliefs as being more important than the Code (see Standard 1.06), we must understand clearly that once we act outside of the Code, we no longer are acting as social workers, but in another role. The client and agency should be made aware of such decisions. It may be important to note that people frequently use their value systems to support their prejudices and dislikes, instead of using them to relate better with others and provide themselves more life satisfaction. Be aware of this before assuming that your values are the basis of your decision to act outside of the Code. Standard 4.08 more strictly narrows the boundaries between professional acts and extra-professional values

10. I live and work in an area where I see my clients frequently at social settings, such as restaurants, church, while shopping, and so forth. Sometimes we serve on voluntary committees together. Am I in a dual relationship?

Not necessarily, but Standard 1.06 indicates you are close to being in one and, therefore, should be cautious. A dual relationship is one in which there is a conflict of interest. Seeing people in church, for example, need not be a conflict of interest if we go about our business there without undue interaction with the client. If there is a clear line, it is when a conflict of interest develops and social workers are in a position to take undue advantage of it.

11. When do I know if I am violating a client's privacy when asking about things related to his or her treatment?

Standard 1.07a implies that client/therapist interaction should be strictly related to the issues of treatment. During engagement and at other times, we may vary slightly to relate to the client better, but our goal is to help clients help themselves in treatment. As in any relationship, we will discover things about our clients that are interesting to us, but not necessarily related to treatment, and we should avoid exploring those issues. This is important when talking about any issue, no matter how mundane (such as mutual interest in gardening), but it has caused great damage in important areas. Sexual assault victims have been asked to describe the assault in detail, evidently only to fulfill the voyeuristic needs of some therapists, for example.

12. What if I am called to court to testify for a client. Should I release all information?

An attorney affiliated with your agency can give specific information on what you should release. As a general rule, you should release everything legally requested and no more. Standard 1.07c indicates that we should reveal only what is necessary in these circumstances.

13. I am concerned that my members in my group therapy sessions, couples, and family therapy may break confidentiality. Will I be at fault for this?

Standard 1.07f states that in such cases, we must be careful to protect confidentiality by obtaining agreement among members to do so. We will be better protected to do so in writing.

We also should inform clients that we cannot guarantee that others will conform to confidentiality agreements.

14. Am I required to allow a client to see his or her file?

Yes, unless you, as the social worker, can demonstrate that access to the file will cause harm. That is difficult to do. We can avoid much of the awkwardness in such situations by taking precautions not to state unnecessary negative information about the client and by sharing our concerns with him or her in therapy. This avoids surprises when the client asks to see the records.

We also must take care that all records are accurate and take special precautions to assure that records are kept safe from being seen by others (Standards 1.08, 3.04).

15. What should I do if a client appears to want more intimate contact with me?

Whereas touching within culturally appropriate boundaries is allowed (e.g., handshakes), we are to limit it to those boundaries. Sexual contact, harassment, and derogatory language are prohibited during treatment and afterwards. The code writers understood that under some circumstances, a social worker might happen to become involved (sometimes sexually) with an ex-client, and they made it the social worker's responsibility to show that the sexual relationship is not exploitive, which is near impossible. An example of this may be that sometimes attorneys or entire agencies hire social workers for particular tasks related to their clientele, or we are involved in community work. Since we are hired to do social work, they are our clients, but no therapeutic relationship existed, and romance may occur years later and be permissible. The best practice is to leave any sexual or similar intimacy out of your work, whether past or present. (See Standards 1.09, 1.10, 1.11, 1.12.)

16. Are there causal factors that we may foresee to help us avoid becoming intimately involved with clients?

There are many ways people become involved, ranging from social workers with poor character to people overwhelmed with romantic love. However, we can avoid many of these feelings with the realization that intimate feelings may be an important part of transference and countertransference issues instead of the "real thing." Some clients' poor self esteem permits them to demonstrate appreciation only in that manner. We can be helpful at such times instead of convincing or fantasizing ourselves into involvement.

17. When should I begin to prepare clients for termination?

As soon as possible. In situations in which the number of sessions is set, we can begin immediately. Interruption of services and termination may have a profound negative effect on clients when done poorly and tend to have at least a mild negative effect for a brief time even when done well. Clients need to prepare for the adjustment much in the manner they would prepare for any loss, and it is the social worker's responsibility to alert and help prepare them for this occurrence (see Standards 1.15, 1.16).

18. I know social workers who gossip frequently about each other. Others do not believe in the work of particular professions recognized by the state and refuse to cooperate with them. Are these actions allowable behavior?

No. Standards 2.01, 2.02, 2.03, 2.07, and 2.08 state that we should give an accurate and respectful view of other colleagues in social work and elsewhere and respect their privacy. We are to be careful to avoid conflicts of interest and exploitation. Disputes should be negotiated with the same standards in mind, and clients should never be involved (2.04).

19. Are there steps to help a colleague who has developed an impairment that prohibits doing his or her job well?

Yes, Standard 2.09 addresses this. If a social worker has knowledge or concern about an impaired colleague, the social worker should consult with that colleague and assist with taking remedial action. Then, if none is taken, the social worker should take action with NASW, licensing boards, and so forth. The same is true for incompetent colleagues under Standard 2.10.

20. A social worker at my job purposely is acting unethically. What should I do?

Many social workers either under-react or overreact to this difficult situation, but Standard 2.11 gives some pretty clear direction. The steps are: (a) discourage any such activity, (b) be knowledgeable about the NASW Code, (c) seek resolution by discussing the infraction with the colleague, and (d) when necessary, take the issue before the NASW or licensing board.

21. I would like to volunteer to be a supervisor toward licensing for MSWs. Does the NASW have requirements I should meet?

Yes, Standard 3.01 states that you must have the knowledge and skills to be able to give quality supervision. You must make clear boundaries, avoid dual relationships, and evaluate respectfully. Much the same is true for educators (see Standard 3.02), who also must ensure that clients with whom their students work understand that they are working with supervised students.

22. Are social workers allowed the freedom to bill for services as they wish?

No. Standards 1.13 and 3.05 inform us that we should have billing “fair, reasonable, and commensurate” with the services performed. We should not barter for services, accepting items other than money or its equivalent, unless there is a special situation in which the social worker believes the client or situation warrants it and can demonstrate that concern to the NASW. Charging private fees for agency practice is not allowed, and billing must accurately reflect the services rendered, to whom, and by whom.

23. Once I become an administrator, am I still responsible to the NASW Code?

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Yes. Administration is discussed under Standard 3.07, directing administrators to advocate for their clientele, be fair in resource allocation, assure staff supervision is adequate, and assure that the work environment encourages cooperation under the NASW Code.

24. What if I have a chance for employment in an agency that acts against NASW Code guidelines?

Standards 3.09 and 3.10 give direction on this question. Social workers should avoid employment in such agencies, although they should assure that their interpretation of the Code is not the issue, but that the agency clearly violates the code. They should make any agency where they work aware of their required need to comply with the Code and educate the agency on the Code. Social workers should follow the Code. We can engage in labor/management disputes as well, but still must act ethically.

25. Part of the Code involves acting well as a professional. What does that mean?

Standards 4.01, 4.02, 4.03, 4.04, 4.05, 4.06, 4.07, 4.08, and 4.09 direct social workers to act as professionals by (a) maintaining competence, (b) resisting discrimination, (c) not allowing private conduct to interfere with their responsibilities, (d) not being a part of deception, and (e) acknowledging impairments and taking steps to remediate them, including not practicing for a time, if required.

26. How can I make social work a better profession?

Your own example is a good start. Further instructions are found under Standard 5.01.

A social worker can improve the profession by furthering study, research, and discussion. Helping the community with our expertise is another way. We share our knowledge at conferences, workshops, and meetings, and we should prevent unauthorized persons from practicing social work.

27. What does the Code include as standards of research?

Especially after the systematic human suffering and death that occurred during World War II, there are several codes that the U.S. and the rest of the world accept as standards of research. They include: the Belmont Report, "The Common Rule," the United Nations Declaration on Human Rights, the United States Department of Health and Human Services Office of Research Integrity Rulings, and the World Medical Association Research Guidelines. Standard 5.02 demonstrates that the NASW abides by these rulings to protect human subjects of research and in reporting.

28. I am a student in an accredited social work program. Does the Code provide me any protections?

Yes, you are to be taught by competent professionals in their area of expertise. You are to be evaluated fairly and treated respectfully. You are to be protected from any harm or exploitation

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(see Standard 3.02) All sexual harassment and sexual contact statements in the Code apply to you, as well.

29. What if I am presenting on behalf of an organization and its policy is congruent with the Code, but I have doubts. Should I state my opinion or the agency's?

The important phrase is “on behalf of.” If you are telling an audience about an organization as its representative, you are to “accurately represent the official and authorized positions of the organization” (see Standard 4.06b).

30. Do we have any more responsibilities?

Yes, social workers have responsibilities beyond their clients and their profession. We are to promote social justice, participate in the political process, assist within our area of expertise in public emergencies, and participate in other social action to promote a better society and environment for our clients and society as a whole.

References

Strom-Gottfried, K. (2000). Ensuring ethical practice: An examination of NASW code violations, 1986-1997. *Social Work*, 45 (3), 251-261.

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This article appeared in *The New Social Worker*, Summer 2012, Vol. 19, No. 3. All rights reserved. Contact Linda Grobman for permission to reprint.