


LEARNING OBJECTIVES

- I. Examine the key ethical considerations that gave rise to a technology-focused revision to the NASW *Code of Ethics*.
- II. Provide an comprehensive review of updates to the *Code* approved by the 2017 Delegate Assembly.
- III. Respond to questions regarding the changes.



© 2014 National Association of Social Workers. All Rights Reserved. www.nasw.org

PURPOSE AND CONCLUSION

There has been significant growth in the use of computers, smart phones, tablets, email, texting, online social networking, monitoring devices, video technology, and other electronic technology in various aspects of social work practice.

The Task Force reviewed the *Code of Ethics* to determine whether changes were needed to address concerns related to the use of technology.

© 2014 National Association of Social Workers. All Rights Reserved. www.nasw.org

QUESTIONS THAT GUIDED THE DECISION-MAKING PROCESS:

1. **PURPOSE:** Does the proposed change fit with the overall purposes of the *Code* (general guidance on what is considered to be ethical practice/behavior, education for social workers, and clients, etc.)?
2. **NEED:** Is the proposed change necessary or are the concerns already addressed in the current sections of the *Code*?
3. **CONSENSUS:** Will there be general consensus within the profession on the proposed change? (including social workers who have grown up with digital and other electronic technologies and may have different views regarding confidentiality, consent, documentation, sharing information, etc.)

QUESTIONS THAT GUIDED THE DECISION-MAKING PROCESS:

4. **INNOVATION:** Could overly specific language around the use of technology stunt innovation or advancement of the social work profession or discourage prospective social workers from entering the profession?
5. **LIBERTIES:** Will the proposed change unduly limit or restrict the exercise of a social worker's civil liberties?
6. **PERSONAL LIVES:** Will social workers' personal lives and activities be subject to scrutiny (e.g., regulation of personal online presence)?

QUESTIONS THAT GUIDED THE DECISION-MAKING PROCESS:

7. **ETHICAL vs. PRACTICE STANDARDS:** Should the proposed change be included in the NASW *Code* or would they fit better in the NASW *Standards for Technology and Social Work Practice* or licensing board regulatory standards?
8. **UNWARRANTED COMPLAINTS:** Could the proposed change give rise to unwarranted complaints against social worker? For instance, frivolous complaints by an angry client who does not have a legitimate ethical concern.
9. **LONGEVITY:** Will the proposed changes still be relevant in five or ten years?

FOCUS

The committee focused on how social workers:

- ✓ deliver services to clients,
- ✓ **communicate** with and about clients,
- ✓ Communicate with and about colleagues and supervisors
- ✓ **manage** confidential information and case records,
- ✓ **store** and access information about clients using technology

KEY ETHICAL STANDARDS

Included:

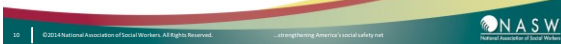
- Practitioner competence
- Client privacy and confidentiality
- Informed consent
- Conflicts of interest
- Boundaries and dual relationships
- Documentation.

APPROVED CHANGES TO THE NASW CODE OF ETHICS

- Purpose
- Informed Consent (1.03)
- Competence and Diversity (1.04 and 1.05)
- Conflicts of Interest (1.06)
- Privacy and Confidentiality (1.07)
- Sexual Relationships (1.09)
- Sexual Harassment (1.11)
- Interruption of Services (1.15)

APPROVED CHANGES TO THE NASW CODE OF ETHICS

- Sexual Relationships (2.06)
- Sexual Harassment (2.08)
- Unethical Conduct of Colleagues (2.11)
- Supervision and Consultation (3.01)
- Education and Training (3.02)
- Client Records (3.04)
- Evaluation and Research (5.02)



NEW SECTION

PURPOSE OF THE NASW CODE OF ETHICS

With growth in the use of communication technology in various aspects of social work practice, social workers need to be aware of the unique challenges that may arise in relation to the maintenance of confidentiality, informed consent, professional boundaries, professional competence, record keeping, and other ethical considerations. **In general, all ethical standards in this Code of Ethics are applicable to interactions, relationships, or communications, whether they occur in person or with the use of technology.**



NEW LANGUAGE

PURPOSE OF THE NASW CODE OF ETHICS

For the purposes of this Code, **“technology-assisted social work services”** include any social work services that involve the use of computers, mobile or landline telephones, tablets, video technology, or other electronic or digital technologies; this includes the use of various electronic or digital platforms, such as the Internet, online social media, chat rooms, text messaging, e-mail, and emerging digital applications.



NEW LANGUAGE

PURPOSE OF THE NASW CODE OF ETHICS

Technology-assisted social work services encompass all aspects of social work practice, including psychotherapy; individual, family, or group counseling; community organization; administration; advocacy; mediation; education; supervision; research; evaluation; and other social work services. **Social workers should keep apprised of emerging technological developments that may be used in social work practice and how various ethical standards apply to them.**

MINOR CHANGES AND ADDED LANGUAGE



MINOR CHANGES

Purpose

1.03 Informed Consent

(h) Social workers should obtain clients' informed consent before **making audio or video recordings of clients or permitting observation of service provision by a third party.**

1.07 Privacy and Confidentiality

(f) When social workers provide counseling services to families, couples, or groups, social workers should seek agreement among the parties involved concerning each individual's right to confidentiality and obligation to preserve the confidentiality of information shared by others. **This agreement should include consideration of whether confidential information may be exchanged in person or electronically...**

MINOR CHANGES

1.08 Access to Records

- (a) Social workers should take reasonable steps to ensure that documentation in **electronic** and paper records is accurate and reflects the services provided.



MINOR CHANGES

1.09 Sexual Relationships

- (a) Social workers should under no circumstances engage in sexual activities, **inappropriate sexual communications through the use of technology or in person**, or sexual contact with current clients, whether such contact is consensual or forced.

1.11 Sexual Harassment

Social workers should not sexually harass clients. Sexual harassment includes sexual advances; sexual solicitation; requests for sexual favors; and other verbal, **written, electronic**, or physical contact of a sexual nature.



MINOR CHANGES

1.15 Interruption of Services

Social workers should make reasonable efforts to ensure continuity of services in the event that services are interrupted by factors such as unavailability, **disruptions in electronic communication**, relocation, illness, mental or physical ability, or death.

1.16 Referral for Services

- (a) Social workers should refer clients to other professionals when the other professionals' specialized knowledge or expertise is needed to serve clients fully or when social workers believe that they are not being effective or making reasonable progress with clients and that **other services** are required.



MINOR CHANGES

2.01 Respect

(b) Social workers should avoid unwarranted negative criticism of colleagues in **verbal, written, and electronic** communications with clients or with other professionals. Unwarranted negative criticism may include demeaning comments that refer to colleagues' level of competence or to individuals' attributes such as race, ethnicity, national origin, color, sex, sexual orientation, gender identity or expression, age, marital status, political belief, religion, immigration status, and mental or physical **ability**.

MINOR CHANGES

2.06 Sexual Relationships

(a) Social workers who function as supervisors or educators should not engage in sexual activities or contact (**including verbal, written, electronic, or physical contact**) with supervisees, students, trainees, or other colleagues over whom they exercise professional authority.

2.07 Sexual Harassment

Social workers should not sexually harass supervisees, students, trainees, or colleagues. Sexual harassment includes sexual advances; sexual solicitation; requests for sexual favors; and other verbal, **written, electronic**, or physical contact of a sexual nature.

MINOR CHANGES

2.10 Unethical Conduct of Colleagues

(a) Social workers should take adequate measures to discourage, prevent, expose, and correct the unethical conduct of colleagues, **including unethical conduct using technology**.

(d) When necessary, social workers who believe that a colleague has acted unethically should take action through appropriate formal channels (such as contacting a state licensing board or regulatory body, the NASW **National Ethics Committee**, or other professional ethics committees).

MINOR CHANGES

3.01 Supervision and Consultation

(a) Social workers who provide supervision or consultation (**whether in-person or remotely**) should have the necessary knowledge and skill to supervise or consult appropriately and should do so only within their areas of knowledge and competence.

(c) Social workers should not engage in any dual or multiple relationships with supervisees in which there is a risk of exploitation of or potential harm to the supervisee, **including dual relationships that may arise while using social networking sites or other electronic media.**

MINOR CHANGES

3.02 Education and Training

(d) Social workers who function as educators or field instructors for students should not engage in any dual or multiple relationships with students in which there is a risk of exploitation or potential harm to the student, **including dual relationships that may arise while using social networking sites or other electronic media.**

(g) Social work educators and field instructors are responsible for setting clear, appropriate, and culturally sensitive boundaries.

MINOR CHANGES

6.04 Social and Political Action

(d) Social workers should act to prevent and eliminate domination of, exploitation of, and discrimination against any person, group, or class on the basis of race, ethnicity, national origin, color, sex, sexual orientation, gender identity or expression, age, marital status, political belief, religion, immigration status, or mental or physical **ability.**

SMALL BUT SIGNIFICANT CHANGES

1.05 Cultural **Awareness** and Social Diversity

1.07 Privacy and Confidentiality

(a) Social workers should respect clients' right to privacy.

Social workers should not solicit private information from or about clients except for compelling professional reasons. Once private information is shared, standards of confidentiality apply.

MINOR BUT SIGNIFICANT CHANGES

1.07 Privacy and Confidentiality

(c) Social workers should protect the confidentiality of all information obtained in the course of professional service, except for compelling professional reasons. The general expectation that social workers will keep information confidential does not apply when disclosure is necessary to prevent serious, foreseeable, and imminent harm to a client or **others.**

3.04 Client Records

(d) Social workers should store records following the termination of services to ensure reasonable future access. **Records should be maintained for the number of years required by relevant laws, agency policies, and contracts**

NEW STANDARDS



1.03 Informed Consent

(e) Social workers should discuss with clients the social workers' policies concerning the use of technology in the provision of professional services.

(f) Social workers who use technology to provide social work services should obtain informed consent from the individuals using these services during the initial screening or interview and prior to initiating services. Social workers should assess clients' capacity to provide informed consent and, when using technology to communicate, verify the identity and location of clients.

1.03 Informed Consent

(g) Social workers who use technology to provide social work services should assess the clients' suitability and capacity for electronic and remote services. Social workers should consider the clients' intellectual, emotional, and physical ability to use technology to receive services and the clients' ability to understand the potential benefits, risks, and limitations of such services. If clients do not wish to use services provided through technology, social workers should help them identify alternate methods of service.

1.03 Informed Consent

(i) Social workers should obtain client consent before conducting an electronic search on the client. Exceptions may arise when the search is for purposes of protecting the client or other people from serious, foreseeable, and imminent harm, or for other compelling professional reasons.

1.04 Competence

(d) Social workers who use technology in the provision of social work services should ensure that they have the necessary knowledge and skills to provide such services in a competent manner. This includes an understanding of the special communication challenges when using technology and the ability to implement strategies to address these challenges.

(e) Social workers who use technology in providing social work services should comply with the laws governing technology and social work practice in the jurisdiction in which they are regulated and located and, as applicable, in the jurisdiction in which the client is located.

1.05 Cultural Awareness and Social Diversity

(d) Social workers who provide electronic social work services should be aware of cultural and socioeconomic differences among clients and how they may use electronic technology. Social workers should assess cultural, environmental, economic, mental or physical **ability**, linguistic, and other issues that may affect the delivery or use of these services.

1.06 Conflicts of Interest

(e) Social workers should avoid communication with clients using technology (such as social networking sites, online chat, e-mail, text messages, telephone, and video) for personal or non-work-related purposes.

(f) Social workers should be aware that posting personal information on professional Web sites or other media might cause boundary confusion, inappropriate dual relationships, or harm to clients.

1.06 Conflicts of Interest

(g) Social workers should be aware that personal affiliations may increase the likelihood that clients may discover the social worker's presence on Web sites, social media, and other forms of technology. Social workers should be aware that involvement in electronic communication with groups based on race, ethnicity, language, sexual orientation, gender identity or expression, mental or physical ability, religion, immigration status, and other personal affiliations may affect their ability to work effectively with particular clients.

1.06 Conflicts of Interest

(h) Social workers should avoid accepting requests from or engaging in personal relationships with clients on social networking sites or other electronic media to prevent boundary confusion, inappropriate dual relationships, or harm to clients.

1.07 Privacy and Confidentiality

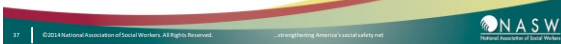
(m) Social workers should take reasonable steps to protect the confidentiality of electronic communications, including information provided to clients or third parties. Social workers should use applicable safeguards (such as encryption, firewalls, and passwords) when using electronic communications such as e-mail, online posts, online chat sessions, mobile communication, and text messages.

(n) Social workers should develop and disclose policies and procedures for notifying clients of any breach of confidential information in a timely manner.

1.07 Privacy and Confidentiality

(o) In the event of unauthorized access to client records or information, including any unauthorized access to the social worker's electronic communication or storage systems, social workers should inform clients of such disclosures, consistent with applicable laws and professional standards.

(p) Social workers should develop and inform clients about their policies, consistent with prevailing social work ethical standards, on the use of electronic technology, including Internet-based search engines, to gather information about clients.



1.07 Privacy and Confidentiality

(q) Social workers should avoid searching or gathering client information electronically unless there are compelling professional reasons, and when appropriate, with the client's informed consent.

(r) Social workers should avoid posting any identifying or confidential information about clients on professional websites or other forms of social media.

*Please note letters s – w include old language with new letters



1.08 Access to Records

(b) Social workers should develop and inform clients about their policies, consistent with prevailing social work ethical standards, on the use of technology to provide clients with access to their records.

*Please note: standard b in the old code is now standard c



5.02 Evaluation and Research

(f) When using electronic technology to facilitate evaluation or research, social workers should ensure that participants provide informed consent for the use of such technology. Social workers should assess whether participants are able to use the technology and, when appropriate, offer reasonable alternatives to participate in the evaluation or research.

*Note: Letters g – q, same language, new letters



Q & A