

**PRINCE EDWARD ISLAND  
SOCIAL WORK REGISTRATION BOARD**

**CODE OF ETHICS**

**2010**

## TABLE OF CONTENTS

I. ACKNOWLEDGEMENTS	p. 4
II. PREAMBLE	p. 5
III. SOCIAL WORK VALUES & PRINCIPLES	p. 6
1. Respect for the Inherent Dignity and Worth of Persons	p. 7
2. Pursuit of Social Justice	p. 8
3. Service for Humanity	p. 8
4. Integrity in Professional Practice	p. 9
5. Confidentiality in Professional Practice	p. 10
6. Competence in Professional Practice	p. 10
IV. CODE OF ETHICS	<b>p. 12</b>
Chapter 1. Ethical Obligations to Clients	p. 13
1.1 Priority of clients' interests	p. 13
1.2 Cultural Awareness & Sensitivity	p. 13
1.3 Client Self-Determination	p. 14
1.4 Informed Consent	p. 15
1.5 Confidentiality	p. 16
1.6 Maintenance & Handling of Client Records	p. 18
1.7 Practices for Termination or Interruption of Services	p. 19
Chapter 2. Ethical Obligations in Professional Relationships	p. 19
2.1 Appropriate Professional Boundaries	p. 19
2.2 No Exploitation for Personal or Professional Gain	p. 19
2.3 Declare conflicts of Interest	p. 20
2.4 Dual or Multiple Relationships	p. 20
2.5 Physical contact with clients	p. 20
2.6 Romantic or Sexual Relationships with clients	p. 20
2.7 Sexual Harassment	p. 21
Chapter 3. Ethical Obligations to Colleagues	p. 21
3.1 Respect	p. 21
3.2 Collaboration & Consultation	p. 21
3.3 Management of Disputes	p. 21
3.4 Supervision & Consultation	p. 21
3.5 Obligation to Students	p. 22

Chapter 4.	Ethical Obligations in the Workplace	p. 23
	4.1 Professional Practices	p. 23
	4.2 Obligations of Managers	p. 23
Chapter 5.	Ethical Obligations in Private Practice	p. 24
	5.1 Insurance	p. 24
	5.2 Avoid and Declare Conflicts of Interest	p. 24
	5.3 Fee Practices	p. 25
Chapter 6.	Ethical Obligations in Research	p. 25
	6.1 Research Practices	p. 25
	6.2 Minimizing Risk	p. 25
	6.3 Informed Consent, Anonymity, Confidentiality	p. 26
	6.4 Avoiding Deception	p. 27
	6.5 Accuracy of Report of Research Findings	p. 27
Chapter 7.	Ethical Obligations to the Profession	p. 27
	7.1 Maintaining & Enhancing the Reputation of the Profession	p. 27
	7.2 Unethical Practices of Colleagues	p. 28
	7.3 Support of Regulatory Practice	p. 29
Chapter 8.	Ethical Obligations to Society	p. 29
	8.1 Social Justice	p. 29
	8.2 Social Action	p. 29
	8.3 Public Participation	p. 30
	8.4 Public Emergencies	p. 30
	8.5 Environment	p. 30
V. DEFINITIONS		p. 31
VI. REFERENCES		p. 33

## I. ACKNOWLEDGEMENTS

The Prince Edward Island Social Work Registration Board (PEI SWRB) acknowledges with thanks the Canadian Association of Social Workers (CASW) for permission to use the copyrighted *CASW 2005 Code of Ethics* and the *2005 CASW Guidelines for Ethical Practice* in the development of the *PEIASW 2010 Code of Ethics*. The PEI SWRB recognizes that by virtue of using the CASW documents as noted, use was also made of the *New Brunswick Association of Social Workers 2007 Code of Ethics*, the *National Association of Social Workers 1999 Code of Ethics*, and the *Australian Association Code of Ethic*. These references can be found in the Reference section of the document.

With some minor amendments and additions, the *2005 CASW Code of Ethics* has been included as the *Value Statement* in the *PEI SWRB 2010 Code of Ethics* while the *2010 PEI SWRB 2010 Code of Ethics* has been developed from the *2005 CASW Guidelines for Ethical Practice* document and from the *CASW 1994 Code of Ethics*.

## II. PREAMBLE

Because the PEI SWRB has always adopted the current *Canadian Association of Social Workers Code of Ethics*, it was the intention to replace the CASW 1994 Code with the new CASW 2005 Code. However, on reviewing the 2005 Code, the PEI SWRB concluded that this Code would be difficult, if not impossible, to administer and enforce because of its lack of mandatory language. It was therefore decided, with the permission of the CASW, to rewrite the 2005 Code for the purpose of introducing mandatory language, thereby eliminating any uncertainty as to the responsibilities of individual social workers to comply with the Code, breach of which would provide a clear basis for disciplinary action. The rewritten version is now the new *PEI SWRB Code of Ethics*.

In rewriting the 2005 CASW Code, the PEI SWRB has also incorporated parts of the 1994 CASW Code as well as parts of the *CASW 2005 Guidelines for Ethical Practice* to make certain that all relevant ethical issues are covered. The major change has been the addition of mandatory language to ensure its legal application in the enforcement of complaints of professional misconduct and incompetence.

The *Statement of Values and Principles* included with the new *PEI SWRB Code of Ethics* is in fact the *2005 CASW Code of Ethics* with minor alterations. This *Statement of Values and Principles* is a companion document to the new Code and should be referred to in order to obtain a full understanding of the obligations of social workers.

Because ethical behavior lies at the core of every profession, the Code establishes ethical duties and obligations for the practice of social work in Prince Edward Island and provides a set of rules that prescribe how social workers should act. These rules are based on the values of social work as outlined in the *Statement of Values and Principles* contained in this document.

Finally, because the *Code of Ethics* is used to evaluate professional conduct, violations may form the basis of a complaint and result in disciplinary action.

**CORE SOCIAL WORK  
VALUES AND PRINCIPLES**

### **III. CORE SOCIAL WORK VALUES AND PRINCIPLES** **(taken from the 2005 CASW Code of Ethics – the highlighted sections are additions made by the PEISWRB)**

Social workers uphold the following core social work values:

Value 1: Respect for Inherent Dignity and Worth of Persons

Value 2: Pursuit of Social Justice

Value 3: Service to Humanity

Value 4: Integrity of Professional Practice

Value 5: Confidentiality in Professional Practice

Value 6: Competence in Professional Practice

The following section describes each of these values and discusses their underlying principles.

#### **Value 1: Respect for the Inherent Dignity and Worth of Persons**

Social work is founded on a long-standing commitment to respect the inherent dignity and individual worth of all persons. When required by law to override a client's wishes, social workers take care to use the minimum coercion required. Social workers recognize and respect the diversity of Canadian society, taking into account the breadth of differences that exist among individuals, families, groups and communities. Social workers uphold the human rights of individuals and groups as expressed in The Canadian Charter of Rights and Freedoms (1982) and the United Nations Universal Declaration of Human Rights (1948).

#### **Principles:**

- Social workers respect the unique worth and inherent dignity of all people and uphold human rights.
- Social workers uphold each person's right to self-determination, consistent with that person's capacity and with the rights of others.
- Social workers respect the diversity among individuals in Canadian society and the right of individuals to their unique beliefs consistent with the rights of others.
- Social workers respect the client's right to make choices based on voluntary, informed consent.
- Social workers who have children as clients determine the child's ability to consent and where appropriate, explain to the child and to the child's parents/guardians, the nature of the social worker's relationship to the child.

- Social workers uphold the right of society to impose limitations on the self-determination of individuals, when such limitations protect individuals from self-harm and from harming others.
- Social workers uphold the right of every person to be free from violence and threat of violence.

### **Value 2: Pursuit of Social Justice**

Social workers believe in the obligation of people, individually and collectively, to provide resources, services and opportunities for the overall benefit of humanity and to afford them protection from harm. Social workers promote social fairness and the equitable distribution of resources, and act to reduce barriers and expand choice for all persons, with special regard for those who are marginalized, disadvantaged, vulnerable, and/or have exceptional needs. Social workers oppose prejudice and discrimination against any person or group of persons, on any grounds, and specifically challenge views and actions that stereotype particular persons or groups.

#### **Principles:**

- Social workers uphold the right of people to have access to resources to meet basic human needs.
- Social workers advocate for fair and equitable access to public services and benefits.
- Social workers advocate for equal treatment and protection under the law and challenge injustices, especially injustices that affect the vulnerable and disadvantaged.
- Social workers promote social development and environmental management in the interests of all people.

### **Value 3: Service to Humanity**

The social work profession upholds service in the interests of others, consistent with social justice, as a core professional objective. In professional practice, social workers balance individual needs, and rights and freedoms with collective interests in the service of humanity. When acting in a professional capacity, social workers place professional service before personal goals or advantage, and use their power and authority in disciplined and responsible ways that serve society. The social work profession contributes to knowledge and skills that assist in the management of conflicts and the wide-ranging consequences of conflict.

#### **Principles:**

- Social workers place the needs of others above self-interest when acting in a professional capacity.



- Social workers strive to use the power and authority vested in them as professionals in responsible ways that serve the needs of clients and the promotion of social justice.
- Social workers promote individual development and pursuit of individual goals, as well as the development of a just society.
- Social workers use their knowledge and skills in bringing about fair resolutions to conflict and in assisting those affected by conflict.

#### **Value 4: Integrity in Professional Practice**

Social workers demonstrate respect for the profession's purpose, values and ethical principles relevant to their field of practice. Social workers maintain a high level of professional conduct by acting honestly and responsibly, and promoting the values of the profession. Social workers strive for impartiality in their professional practice, and refrain from imposing their personal values, views and preferences on clients. It is the responsibility of social workers to establish the tenor of their professional relationship with clients, and others to whom they have a professional duty, and to maintain professional boundaries. As individuals, social workers take care in their actions to not bring the reputation of the profession into disrepute. An essential element of integrity in professional practice is ethical accountability based on the **PEI SWRB Code of Ethics**, the *IFSW International Declaration of Ethical Principles of Social Work*, and other relevant provincial/territorial standards and guidelines. Should conflicts or uncertainty exist with respect to the interpretation or application, clarification should be sought from the social worker's regulatory body.

#### **Principles:**

- Social workers demonstrate and promote the qualities of honesty, reliability, impartiality and diligence in their professional practice.
- Social workers demonstrate adherence to the values and ethical principles of the profession and promote respect for the profession's values and principles in organizations where they work or with which they have a professional affiliation.
- Social workers establish appropriate boundaries in relationships with clients and ensure that the relationship serves the needs of clients.
- Social workers value openness and transparency in professional practice and avoid relationships where their integrity or impartiality may be compromised, ensuring that should a conflict of interest be unavoidable, the nature of the conflict is fully disclosed.

## **Value 5: Confidentiality in Professional Practice**

A cornerstone of professional social work relationships is confidentiality with respect to all matters associated with professional services to clients. Social workers demonstrate respect for the trust and confidence placed in them by clients, communities and other professionals by protecting the privacy of client information and respecting the client's right to control when or whether this information will be shared with third parties. Social workers only disclose confidential information to other parties (including family members) with the informed consent of clients, clients' legally authorized representatives or when required by law or court order. 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. In all instances, social workers disclose the least amount of confidential information necessary to achieve the desired purpose.

### **Principles:**

- Social workers respect the importance of the trust and confidence placed in the professional relationship by clients and members of the public.
- Social workers respect the client's right to confidentiality of information shared in a professional context.
- Social workers only disclose confidential information with the informed consent of the client or permission of client's **legally appointed** representative.
- Social workers may break confidentiality and communicate client information without permission when required or permitted by relevant laws, court order or this Code.
- Social workers demonstrate transparency with respect to limits to confidentiality that apply to their professional practice by clearly communicating these limitations to clients early in their relationship.

## **Value 6: Competence in Professional Practice**

Social workers respect a client's right to competent social worker services. Social workers analyze the nature of social needs and problems, and encourage innovative, effective strategies and techniques to meet both new and existing needs and, where possible, contribute to the knowledge base of the profession. Social workers have a responsibility to maintain professional proficiency, to continually strive to increase their professional knowledge and skills, and to apply new knowledge in practice commensurate with their level of professional education, skill and competency, seeking consultation and supervision as appropriate.

### **Principles:**

- Social workers uphold the right of clients to be offered the highest quality service possible.

- Social workers strive to maintain and increase their professional knowledge and skill.
- Social workers demonstrate due care for client's interests and safety by limiting professional practice to areas of demonstrated competence.
- Social workers contribute to the ongoing development of the profession and its ability to serve humanity, where possible, by participating in the development of current and future social workers and the development of new professional knowledge.
- Social workers who engage in research minimize risks to participants, ensure informed consent, maintain confidentiality and accurately report the results of their studies.

**PEI SWRB**  
**CODE OF ETHICS**  
**2010**

## **IV. CODE OF ETHICS**

### **1.0 ETHICAL OBLIGATIONS TO CLIENTS**

#### **1.1 Priority of Clients' Interests**

- 1.1.1 Social workers shall maintain the best interest of the client as the primary professional obligation. The social worker shall be guided primarily by this obligation and any action which is substantially inconsistent with this obligation is an unethical action. <sup>1</sup>
- 1.1.2 Social workers shall not discriminate against any person on the basis of age, abilities, ethnic background, gender, language, marital status, national ancestry, political affiliation, race, geographical location, religion, sexual orientation or socio-economic status.
- 1.1.3 Social workers shall inform a client of the client's right to consult another professional at any time during the provision of social work services.
- 1.1.4 Social workers shall collaborate with other professionals and service providers in the interest of clients with the client's knowledge and consent, and shall recognize the right of client determination in this regard and include clients (or legally mandated client representatives when clients are not capable of giving consent) in such consultations.
- 1.1.5 Social workers shall limit their involvement in the personal affairs of clients to matters related to service being provided.
- 1.1.6 Social workers shall immediately inform the client of any factor, condition, or pressure that affects the social worker's ability to practice adequately and competently and to perform an acceptable level of service.
- 1.1.7 Social workers shall seek to safeguard the rights and interests of clients who have limited or impaired decision-making capacity when acting on their behalf or when collaborating with others who are acting for the client.

#### **1.2 Demonstrate Cultural Awareness and Sensitivity**

- 1.2.1 Social workers shall obtain a working knowledge and understanding of their clients' racial and cultural affiliations, identities, values, beliefs and customs and shall be able to demonstrate competence in the provision of

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<sup>1</sup> In exceptional circumstances, the priority of clients' interests may be outweighed by the interests of others, or by legal requirements and conditions. In such situations, clients are made aware of the obligations the social worker faces with respect to the interest of others unless such disclosure could result in harm to others.

services that are sensitive to clients' cultures and to differences among people and cultural groups.

- 1.2.2 Social workers shall acknowledge the diversity within and among individuals, communities and cultures.
- 1.2.3 Social workers shall acknowledge and respect the impact that their own heritage, values, beliefs and preferences can have on their practice and on clients whose background and values may be different from their own.
- 1.2.4 Where possible, social workers shall provide or secure social work services in the language chosen by the client.<sup>2</sup>

### **1.3 Client Self-Determination**

- 1.3.1 Social workers shall respect and promote the right of clients to self-determination and assist clients in their efforts to identify and clarify goals.<sup>3</sup>
- 1.3.2 Social workers, at the earliest opportunity, shall discuss with clients their rights and responsibilities and provide them with honest and accurate information regarding the following:
  - the nature of the social work service being offered;
  - the recording of information and who will have access to such information;
  - the purpose, nature, extent and known implications of the options open to them;
  - the potential risks and benefits of proposed social work interventions;
  - their right to obtain a second opinion or to refuse or cease service (recognizing the limitations that apply when working with involuntary clients);
  - the client's right to view professional records and to seek avenues of complaint; and,
  - the limitations on professional confidentiality.
- 1.3.3 Social workers may limit clients' rights to self-determination when, in the social worker's professional judgment, clients' actions or potential actions pose a serious, foreseeable and imminent risk to themselves or others.
- 1.3.4 Where clients' rights to self-determination are limited by the social work role, duty of care, the law, or by other service providers or parties, social workers shall assist clients to negotiate and attain as much autonomy as possible.

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<sup>2</sup> If using an interpreter, social workers preferentially secure an independent and qualified professional interpreter, when possible.

<sup>3</sup> Social workers recognize that in some cases their ability to promote self-determination is limited because clients may not be capable of making their own decisions, are involuntary or because clients' actions pose a serious threat to themselves or others.

- 1.3.5 When a social worker is ordered by a court or agrees to conduct a legally-mandated assessment, the social worker's primary obligation is to the court or designate. The social worker, however, shall continue to have professional obligations toward the person being assessed with respect to dignity, openness regarding limits to confidentiality and professional competence.

#### **1.4 Informed consent**

- 1.4.1 Social workers shall ensure that clients understand informed consent and the circumstances in which it may be required.
- 1.4.2 Social workers shall provide services to clients only on valid informed consent or when required to by legislation or by a court.
- 1.4.3 Social workers shall evaluate a client's capacity to give informed consent as early in the relationship as possible.
- 1.4.4 Social workers who have children as clients shall determine the child's capacity to consent and shall explain to the child (where appropriate), and to the child's parents or guardians (where appropriate) the nature of the social worker's relationship to the child and others involved in the child's care.
- 1.4.5 Where clients have limited capacity to comprehend or grant informed consent, social workers shall provide information in accordance with the clients' level of understanding, restricting their freedom of decision and action as little as possible.
- 1.4.6 Social workers shall minimize the use of compulsion. Any action that violates or diminishes the civil or legal rights of clients shall be taken only after careful evaluation of the situation.
- 1.4.7 Social workers, wherever possible, shall notify clients regarding decision made about them, except where there is evidence that this may bring about, or exacerbate, serious harm to individuals or the public.
- 1.4.8 In instances when clients lack the capacity to provide informed consent, social workers shall protect clients' interests by seeing that their interests are represented by an appropriate third party, such as a substitute decision-maker.

## 1.5 Confidentiality

- 1.5.1 Social workers shall protect the confidentiality of all information acquired from the client or others regarding the client and the client's family during the professional relationship unless the client authorizes in writing the release of specified information, the information is released under authority of a statute, order of a court of relevant jurisdiction, or by the Code and Standards of Practice.
- 1.5.2 Social workers shall discuss with clients the nature of confidentiality and limitations of clients' right to confidentiality at the earliest opportunity and throughout the relationship as required, and shall review with clients when disclosure of confidential information may be legally or ethically required.
- 1.5.3 When disclosure is required by order of a court, social workers shall not divulge more information than is reasonably required and shall, where possible, notify the client of this requirement.
- 1.5.4 Social workers shall ascertain and take into account the manner in which individual clients wish confidentiality to apply within their cultural context.
- 1.5.5 When providing services to families, couples or groups, social workers shall seek agreement among the parties involved concerning each individual's right to confidentiality and the obligation to preserve the confidentiality of information shared by others. Social workers shall inform participants in family, couples or group counseling that social workers cannot guarantee that all participants will honour such agreements.
- 1.5.6 When providing services to children, social workers shall outline for the child and the child's parents or guardians (where appropriate) their practices with respect to confidentiality concerning children.<sup>4</sup>
- 1.5.7 Social workers shall inform clients, to the extent possible, about the disclosure of confidential information and its potential consequences before the disclosure is made.<sup>5</sup>
- 1.5.8 Social workers shall avoid unnecessary conversations regarding clients and shall take care not to discuss confidential information in public or semi-public areas such as hallways, waiting rooms, elevators and restaurants.

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<sup>4</sup> Social workers may wish to reserve the right to disclose some information provided by a young child to parents when such disclosure is in the best interest of the child. This should be stated prior to the first session with the child and parent(s).

<sup>5</sup> This applies in all circumstances of disclosure, except when, in the professional judgment of the social worker, sharing this information with the client may bring about, or exacerbate, serious harm to individuals or the public.



- 1.5.9 Social workers shall take precautions to ensure and maintain the confidentiality of information transmitted to other parties through the use of computers, electronic mail, facsimile machines, telephone answering machines and other electronic technology. Social workers shall inform clients of the limits to confidentiality that may apply to these forms of communication.
- 1.5.10 Social workers shall protect the confidentiality of clients' written and electronic records and shall take reasonable steps to ensure that such records are stored in a secure location and are not available to others who are not authorized to have access.
- 1.5.11 If an agency's practices and policies involve routine consultations with a supervisor or professional team, social workers shall make clients aware of these practices as a limitation to confidentiality.
- 1.5.12 Social workers shall take appropriate steps to address a breach of confidentiality should it occur.
- 1.5.13 Social workers who have reason to believe a child is being harmed and is in need of protection shall report their concerns to the proper authorities as required by law.
- 1.5.14 Social workers who have reason to believe that a client intends to harm another person shall inform both the person who may be at risk (if possible) and the police.
- 1.5.15 Social workers who have reason to believe that a client intends self-inflicted harm shall take appropriate action consistent with law, standards of practice and workplace policies.<sup>6</sup>
- 1.5.16 Social workers who have reason to believe that an adult client is being abused shall take action as required by law.
- 1.5.17 Social workers shall not disclose identifying information when discussing clients for purposes of teaching, training or research, unless the client has consented to such disclosure.
- 1.5.18 Social workers shall not disclose identifying information when discussing clients with consultants unless the client has provided informed consent or there is a compelling need for such disclosure.
- 1.5.19 Social workers shall not disclose the identity of persons who have sought social worker services or disclose sources of information about clients unless compelled legally to do so.

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<sup>6</sup> Social workers may in this instance take action to prevent client self-harm without the informed consent of the client. In deciding whether to break confidentiality, social workers are guided by the imminence of self-harm, the presence of a mental health condition and prevailing professional standards and practices.

- 1.5.20 The obligation to maintain confidentiality shall continue indefinitely after the social worker ceases contact with a client, including after the death of the client.
- 1.5.21 Social workers shall take reasonable precautions to protect client confidentiality in the event of the social worker's termination of practice, incapacity or death.

## **1.6 Maintenance and Handling of Client Records**

- 1.6.1 Social workers who contract for the delivery of social work services with a client shall be responsible to the client for maintaining the client record.
- 1.6.2 Social workers who are employed by a social agency that delivers social work services to clients shall be responsible (a) to the client for the maintaining of a client record, and (b) to the agency to maintain the records to facilitate the objectives of the agency.
- 1.6.3 Social workers shall maintain one written record of professional interventions and opinions, with due care to the obligations and standards of their employer and relevant regulatory body.
- 1.6.4 Social workers shall not state a professional opinion unless it can be supported by their own assessment or by the documented assessment of another professional.<sup>7</sup>
- 1.6.5 When records are shared across professions and agencies, social workers shall record information only to the degree that it addresses clients' needs and meets the requirements of an employer or professional standards of practice.
- 1.6.6 Social workers are obligated to follow all legal requirements that allow access to record by clients.<sup>8</sup>
- 1.6.7 Social workers shall respect clients' right of access to their file subject to social workers' right to refuse access for just and reasonable cause.<sup>9</sup>

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<sup>7</sup> Social workers are encouraged to take care to

- report only essential and relevant details
- refrain from using emotive or derogatory language
- acknowledge the basis of professional opinions
- protect clients' privacy and that of others involved.

<sup>8</sup> In some circumstances, access to client records may be officially authorized or required by statute. Where consent of clients is not required, social workers attempt to notify clients that such access has been granted, if such notification does not involve a risk to others.

<sup>9</sup> Social workers take due care to protect the confidences of others when providing clients with access to records. This may involve masking third party information in the record.

- 1.6.8 Where social workers refuse a client the right to access a file or part of a file, social workers shall advise the client of the right to request a review of the decision in accordance with relevant law, workplace policy or other relevant procedure, should such exist.
- 1.6.9 If clients are not satisfied with their records, social worker shall advise them regarding complaint procedures, should such exist.
- 1.6.10 Social workers shall protect client' records, store them securely and retain them for any required statutory period.
- 1.6.11 Social workers shall transfer or dispose of clients' records, including electronic records, in a manner that protects clients' confidentiality and is consistent with legislation, standards and policies.

## **1.7 Practices for Termination or Interruption of Services**

- 1.7.1 Social workers shall renegotiate or terminate professional service when these services are no longer required or no longer meet the needs of clients.
- 1.7.2 Social workers shall respect the right of voluntary clients to discontinue service, engage another practitioner or seek a second opinion.

## **2.0 ETHICAL OBLIGATIONS IN PROFESSIONAL RELATIONSHIPS**

### **2.1 Appropriate Professional Boundaries**

- 2.1.1 Social workers shall maintain appropriate professional boundaries throughout the course of the professional relationship and after the professional relationship.

### **2.2 No Exploitation for Personal or Professional Gain**

- 2.2.1 Social workers shall not exploit professional relationships for personal benefit, gain or gratification.
- 2.2.2 Social workers shall not take unfair advantage of any professional relationship or exploit others to further their personal, religious, political or business interests.
- 2.2.3. Social workers shall not have a business relationship with a client, borrow money from a client, or loan money to a client.

## **2.3 Declare Conflicts of Interest**

- 2.3.1 Social workers shall avoid conflicts of interest that interfere with the exercise of professional discretion and impartial judgment.<sup>10</sup>
- 2.3.2 Social workers shall inform clients when a real or potential conflict of interest arises, and take reasonable steps to resolve the issue in a manner that makes the clients' interest primary.
- 2.3.3 When social workers provide services to two or more people who have a relationship with each other (couples, family members) social workers shall clarify with all parties which individuals will be considered clients and the nature of the professional relationship with other involved parties.

## **2.4 Dual and Multiple Relationships**

- 2.4.1 Social workers shall take care to evaluate the nature of dual or multiple relationships to ensure that the needs and welfare of their clients are protected.

## **2.5 Physical Contact with Clients**

- 2.5.1 Social workers shall avoid engaging in physical contact with clients when there is a possibility of harm to the client as a result of the contact.
- 2.5.2 Social workers who engage in appropriate physical contact with clients are responsible for setting clear, appropriate and culturally sensitive boundaries to govern such physical contact.

## **2.6 No Romantic or Sexual Relationship with Clients**

- 2.6.1 Social workers shall not engage in romantic relationships, or have any form of sexual relationship or sexual contact with clients, even if such contact is sought by clients.
- 2.6.2 Social workers who have provided professional services involving a fiduciary relationship shall not engage in romantic relationships, sexual activities or sexual contact with former clients.<sup>11</sup>

## **2.7 No Sexual Harassment**

<sup>10</sup> In some cases, protecting clients' interests may require termination of the professional relationship with proper referral of the client to another professional.

<sup>11</sup> It is the responsibility of the social worker to evaluate the nature of the professional relationship he or she had with a client and to determine whether the social worker is in a position of power and/or authority that may unduly and/or negatively affect the decisions of the former client. In making this determination, the social worker shall take into consideration: the length of time that has elapsed since termination; the mental competence and stability of the client; the issues addressed during the relationship with the client; the length of the professional relationship; the circumstances surrounding termination; foreseeable harm to the client/others.

2.7.1 Social workers shall not sexually harass any person.

### **3.0 ETHICAL OBLIGATIONS TO COLLEAGUES**

#### **3.1 Respect**

3.1.1 Social workers shall relate to both social work colleagues and colleagues from other disciplines with respect, integrity and courtesy and seek to understand differences in viewpoints and practice.

3.1.2 Social workers shall not intervene in the professional relationship of a social worker and client unless requested to do so by the client and unless convinced that the best interests and well-being of the client require such intervention.

#### **3.2 Collaboration and Consultation**

3.2.1 When collaborating with other professionals, social workers shall utilize the expertise of other professional for the benefit of their clients.

3.2.2 Social workers shall seek the advice and counsel of colleagues whenever such consultation is in the best interests of clients.<sup>12</sup>

#### **3.3 Management of Disputes**

3.3.1 Social workers shall base any criticism of colleagues' practice or behavior on defensible arguments and concern.

3.3.2 Where a conflict arises between a social worker and other professionals, the social worker shall attempt to resolve the professional differences in ways that uphold the principles of the *Code of Ethics*, the Standards of Practice and the honour of the social work profession.

#### **3.4 Supervision and Consultation**

3.4.1 Social workers who provide supervision shall follow the principles of the Code when dealing with

- (a) a social worker under the supervision of the social worker,
- (b) an employee under the supervision of the social worker, and
- (c) a social work student under the supervision of the social worker.

3.4.2 Social workers who provide supervision or consultation shall have the necessary knowledge and skill to supervise or provide consultation.

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<sup>12</sup> Social workers keep themselves informed about colleagues' areas of expertise and competencies. Social workers only consult colleagues who have, in the judgment of the social worker, knowledge, expertise and competence related to the subject of the consultation.

- 3.4.3 Social workers who provide supervision or consultation shall only do so within their areas of knowledge and competence.
- 3.4.4 Social workers shall not engage in any dual or multiple relationships with supervisees when there is a risk of exploitation or potential harm to the supervisee.
- 3.4.5 If questioned, it shall be the responsibility of the social worker supervisor to demonstrate that any dual or multiple relationship is not exploitative or harmful to the supervisee.
- 3.4.6 Social workers shall evaluate supervisees' performance in a manner that is fair and respectful and consistent with the expectations of the place of employment.

### **3.5 Obligations to Students**

- 3.5.1 Social worker educators and field instructors shall follow the principles of the *Code of Ethics* and Standards of Practice in their work with students.
- 3.5.2 Social worker educators and field instructors shall provide instruction only within their areas of knowledge and competence.
- 3.5.3 Social worker educators and field instructors shall adhere to the principles of privacy and confidentiality in the supervisory relationship, acknowledging with students any limitations early in the professional relationship.
- 3.5.4 Should a student request or require therapy, social worker educators and field instructors shall refer the student to another competent practitioner, recognizing that their role is educational and work focused.
- 3.5.5 Social work educators and field instructors shall evaluate a student's performance in a manner that is fair and respectful and consistent with the expectations of the student's educational institution.
- 3.5.6 Social worker educators and field instructors shall not engage in a romantic relationship, or have any form of sexual relationship or sexual contact with social work students whom they are supervising or teaching.
- 3.5.7 Social workers educators and field instructors shall not engage in any dual or multiple relationships with students in which there is a risk of exploitation or potential harm to the student.
- 3.5.8 Social work educators and field instructors shall be responsible for setting clear, appropriate and culturally sensitive boundaries.

## **4.0 ETHICAL OBLIGATIONS IN THE WORKPLACE**

### **4.1 Professional Practice**

- 4.1.1 Social workers shall acknowledge and strive to carry out the stated aims and objectives of their employer, agency or service contractor, consistent with the requirement of ethical practice.
- 4.1.2 Social workers shall take all reasonable steps to ensure that employers are aware of their professional ethical obligations and advocate for workplace conditions and policies that reflect ethical professional practices.
- 4.1.3. Social workers shall take all reasonable steps to uphold their ethical values principles and responsibilities even though employers' policies or official orders may not be compatible with such values, principles and responsibilities.
- 4.1.4 Social workers shall work toward the best possible standards of service and shall be accountable for their practice.<sup>13</sup>
- 4.1.5 When the policies or procedures of employing bodies are in conflict with the social worker's obligations to the client or to this code, the social worker shall document the issue in writing and shall bring the situation to the attention of the employer.<sup>14</sup>
- 4.1.6 Where a serious ethical conflict continues to exist after the issue has been brought to the attention of the employer, the social worker shall bring the issue to the attention of the regulatory body.
- 4.1.7 Social workers shall use the employer's resources honestly and only for their intended purposes.
- 4.1.8 When social workers are involved in labour-management disputes, job actions or legal labor strikes, social workers shall be guided by the profession's values, *Code of Ethics*, and Standards of Practice.

## 4.2 Obligations of Managers

- 4.2.1 Social workers in management or similar administrative positions shall follow the principles of the Code of Ethics and the Standards of Practice.
- 4.2.2 Social workers in management or similar administrative positions shall acquaint organizational administrators with the ethical responsibilities of social workers.

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<sup>13</sup> Social workers appropriately challenge and work to improve policies, procedures, practices and service provisions that

- are not in the best interest of clients;
- are inequitable;
- are in any way oppressive, disempowering or culturally inappropriate; and
- demonstrate discrimination.

<sup>14</sup> The social worker may choose to bring the situation to the attention of the regulatory body at this point.

- 4.2.3 Social workers in management or similar administrative positions shall encourage employers to eliminate workplace factors that prohibit or obstruct adherence to ethical practice.
- 4.2.4 Social workers in management or similar administrative positions shall strive to obtain and maintain adequate staff levels and acceptable working conditions.
- 4.2.5 Social workers in management or similar administrative positions shall strive to facilitate access to appropriate professional consultation or supervision for professional social work practice.
- 4.2.6 Social workers in management or similar administrative positions shall strive to facilitate access for staff under their direction to ongoing training and professional education, and advocate for adequate resources to meet staff development needs.
- 4.2.7 Social workers in management or similar administrative positions shall provide or arrange for appropriate debriefing and professional support for staff, especially when they experience difficult or traumatic circumstances.

## **5. ETHICAL OBLIGATIONS IN PRIVATE PRACTICE**

### **5.1 Insurance**

- 5.1.1 Social workers in private practice shall maintain adequate malpractice, defamation and liability insurance.

### **5.2 Avoid and Declare Conflicts of Interest**

- 5.2.1 Social workers shall not self-refer or solicit clients for their private practice from their colleagues or their place of work, unless there is a request for social workers to do so.<sup>15</sup>

### **5.3 Responsible Fee Practices**

- 5.3.1 Social workers who enter into a fee for services contract with a client shall:

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<sup>15</sup> For example, in hard to serve areas, employers may need employees who also have a private practice to provide follow-up services. Social workers may only accept clients from their workplace when the workplace does not provide a similar service or in accordance with established workplace guidelines regarding referrals.



- disclose at the outset of the relationship, the fee schedule for social work services including their expectations and practices with respect to cancellations and unpaid bills;
- only charge a fee that was disclosed to and agreed upon by the client;
- charge only for the reasonable hours of client services, research, consultation and administrative work on behalf of a given client;
- avoid accepting goods or services from clients as payment for professional services.<sup>16</sup>

**5.3.2** Social workers shall only charge different fees for the same or similar services when such a difference in fee is for the benefit of the client and the fee is not discriminatory.

5.3.3. Social workers may charge a rate of interest on delinquent accounts as is allowed by law. When such a rate is being charged, social workers shall state the rate of interest on all invoices or bills.

5.3.4 Social workers may pursue civil remedies to ensure payment for services to a client. The social worker shall advise the client of this possibility at the outset of the contract.

## **6. ETHICAL OBLIGATIONS IN RESEARCH**

### **6.1 Responsible Research Practices**

6.1.1 Social workers shall educate themselves, their students and their colleagues about responsible research practices.

6.1.2 Social workers shall observe the conventions of ethical scholarly inquiry when engaged in study and research and shall utilize only appropriately qualified personnel (or provide adequate training) to carry out research, paying particular attention to qualifications required in conducting specialized techniques.

### **6.2 Minimizing Risk**

6.2.1 Social workers shall place the interests of research participants above the social workers' personal interest or the interests of research project.

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<sup>16</sup> Bartering arrangements, particularly involving services, create the potential for conflicts of interest and inappropriate boundaries in social workers' relationships with clients. Social workers may participate in bartering when it can be demonstrated that such arrangements are an accepted practice for professionals in the local community, considered to be essential for the provision of services, negotiated without coercion, and entered into for the clients' benefit and with the client's informed consent. Social workers who accept goods or services from clients as payment for professional services assume the full burden of demonstrating that this arrangement will not be detrimental to the client and the profession.

- 6.2.2 Social workers shall consider carefully the possible consequences for individuals and society before participating in, or engaging in, proposed research and also when publishing research results.
- 6.2.3 Social workers shall submit research proposals to an appropriate independent scientific and ethical review prior to implementation of the research.
- 6.2.4 Social workers shall strive to protect research participants from physical, mental or emotional discomfort, distress, harm or deprivation.
- 6.2.5 Social workers shall take appropriate steps to ensure that research participants have access to appropriate supportive services.
- 6.2.6 Social workers shall ensure that due care has been taken to protect the privacy and dignity of research participants.

### **6.3 Informed Consent, Anonymity and Confidentiality**

- 6.3.1 Social workers shall obtain informed consent to take part in research from either participants or their legally authorized representatives and shall offer children and others whose ability to provide consent is compromised for any reason, the opportunity to express their assent or objection to research procedures and give their views due regard.
- 6.3.2 Social workers shall ensure that consent is given voluntarily, without coercion or inferred disadvantage for refusal to participate and that participants are informed that they may withdraw from a study at any time without compromising any professional service being offered in the research project or future access to social work services.
- 6.3.3 Social workers shall ensure confidentiality of research participants' identity and discuss them only in limited circumstances for professional purposes.<sup>17</sup>
- 6.3.4 Social workers shall ensure the anonymity of research participants is maintained in subsequent records about the research.
- 6.3.5 Social workers shall store research material securely and for the required period as indicated by relevant research ethics guidelines.

### **6.4 Avoid Deception**

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<sup>17</sup> It is recommended that any identifying information obtained from or about participants during the research process be treated as confidential and the identity of participants be separated from data that is stored, for example, through the use of identification numbers for surveys or similar questionnaires, and pseudonyms in transcripts of qualitative interviews.

- 6.4.1 Subject to 6.4.2, social worker shall avoid the use of deception in research because of its negative implications for the public trust in the profession.
- 6.4.2 Social workers shall only design or conduct research that involves deception or waiver of consent, such as certain forms of naturalistic observation and archival research, when third party review of the research has found it to be justified because of its anticipated scientific, educational, or practice value and when equally effective alternative procedures that do not involve deception or waiver of consent are not feasible.

## **6.5 Accuracy of Report of Research Findings**

- 6.5.1. Social workers shall report research results accurately and objectively, acknowledging the contributions of others, and respecting copyright law so that credit is taken only for work actually performed.
- 6.5.2 Where feasible, social workers shall inform research participants or their legally authorized representatives of research results that are relevant to them.
- 6.5.3 Where feasible, social workers shall bring research results that indicate or demonstrate social inequalities or injustice to the attention of the relevant bodies.

## **7. ETHICAL OBLIGATIONS TO THE PROFESSION**

### **7.1 Maintain and Enhance the Reputation of the Profession**

- 7.1.1 Social workers shall promote excellence in the social work profession.<sup>18</sup>
- 7.1.2 Social workers shall uphold the dignity and integrity of the profession and inform their practice from a recognized social work knowledge base.
- 7.1.3 Social workers shall cite an educational degree only after it has been conferred by the educational institution.
- 7.1.4 Social worker shall identify and describe education, training, experience, professional affiliations, competence, and nature of service in an honest and accurate manner.
- 7.1.5 Social workers shall explain to the client the social workers' education, experience, training, competence, nature of service and action at the request of the client.
- 7.1.6 Social workers shall not claim formal social work education in an area of expertise or training solely by attending a lecture, demonstration, conference, workshop or similar teaching presentation.

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<sup>18</sup> Social workers may engage in discussion about and constructive criticism of the profession, its theories, methods and practices.

- 7.1.7 Social workers shall have, maintain and endeavor periodically to update an acceptable level of knowledge and skill and shall comply with provincial regulations for continuing education.
- 7.1.8 Social workers shall not make false, misleading or exaggerated claims of efficacy regarding past or anticipated achievements regarding their professional services.
- 7.1.9 Social workers shall strive to promote the profession of social work, its process and outcomes and defend the profession against unjust criticism.
- 7.1.10 Social workers shall distinguish between actions and statements made as private citizens and actions and statements made as social workers, and shall ensure that no outside interest brings the profession into disrepute.

## **7.2 Unethical Practice of Colleagues**

- 7.2.1 Social workers who have ethical concerns about the actions of a colleague shall take appropriate action conducting themselves in a manner that is consistent with the Code of Ethics and Standards of Practice of their regulatory body.
- 7.2.2 Social workers shall report to the appropriate regulatory body any breach of the code by another social worker which adversely affects or harms a client or prevents the effective delivery of a social work service.
- 7.2.3 Social workers shall report to the appropriate regulatory body any unqualified or unlicensed person who is practicing social work.
- 7.2.4 Subject to sections 7.2.1 and 7.2.2, social workers who have direct knowledge of a social work colleague's incompetence or impairment in professional practice shall consult with colleagues about their concerns and when feasible assist colleagues in taking remedial action.<sup>19</sup>
- 7.2.5 Subject to sections 7.2.1 and 7.2.2, social workers who believe that a colleague has not taken adequate steps to address their impairment to professional practice shall take action through appropriate channels established by employers or regulatory bodies.

## **7.3 Support of Regulatory Practice**

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<sup>19</sup> Impairment may emanate, for example, from personal problems, psychosocial distress, substance abuse or mental health difficulties.

- 7.3.1 Social workers shall co-operate with investigations of complaints against themselves or other social workers, and shall comply with the requirements of any associated disciplinary procedures.
- 7.3.2 Social workers may release confidential information as part of an investigation into a complaint against themselves or other social workers when requested to do so by the Complaints Committee or, as part of a disciplinary hearing of a social worker when so directed by a tribunal or disciplinary body, taking care to divulge the minimum information required.
- 7.3.3 Social workers shall report to the relevant regulatory body or professional body, persons who misrepresent their qualification as a social worker or their eligibility for regulation or membership in a professional association.

## **8.0 ETHICAL OBLIGATIONS TO SOCIETY**

### **8.1 Social Justice**

- 8.1.1 Social workers shall promote social justice.

### **8.2 Social Action**

- 8.2.1 Social workers shall strive to identify, document and advocate for the prevention and elimination of domination or exploitation of, and discrimination against, any person, group, or class on the basis of age, abilities, ethnic background, gender, language, marital status, national ancestry, political affiliation, race, geographical location, religion, sexual orientation or socio-economic status.
- 8.2.2 Social workers shall endeavour to engage in social and political action that seeks to ensure that all people have fair access to the resources, services and opportunities they require to meet their basic human needs and to develop fully.
- 8.2.3 Social workers shall strive to advocate for changes in policy and legislation to improve social conditions in order to meet basic human needs and promote social justice.
- 8.2.4 Social workers shall endeavour to expand choice and opportunity for all people, with special regard for vulnerable, disadvantaged, oppressed and exploited people and groups.
- 8.2.5 Social workers shall strive to promote conditions that encourage respect for cultural and social diversity within Canada and globally. Social workers shall promote policies and practices that demonstrate respect for

difference, support the expansion of cultural knowledge and resources, advocate for programs and institutions that demonstrate cultural competence and promote policies that safeguard the rights of and confirm equity and social justice for all people.

### **8.3 Public Participation**

8.3.1 Social workers shall strive to facilitate informed participation by the public in shaping social policies and institutions.

### **8.4 Public Emergencies**

8.4.1 Social workers shall provide professional service during public emergencies to the greatest extent possible.

### **8.5 Advocate for the Environment**

8.5.1 Social workers shall endeavour to advocate for a clean and healthy environment and to advocate for the development of environmental strategies consistent with social work principles and practices.

## **V. DEFINITIONS**

**Best Interest of the Client** means

- (a) that the wishes, desires, motivations, and plans of the client are taken by the social worker as the primary consideration in any intervention plan developed by the social worker subject to change only when the client's plans are documented to be unrealistic, unreasonable or potentially harmful to the client or others or otherwise determined inappropriate when considered in relation to a mandate requirement,
  - (b) that all actions and interventions of the social worker are taken subject to the reasonable belief that the client will benefit from the actions, and
  - (c) that the social workers will consider the client as an individual, a member of a family unit, a member of a community, a person with a distinct ancestry or culture and will consider those factors in any decision affecting the client.
- (1994 Code of Ethics)*

**Client** means a person, family, group or persons, incorporated body, association or community on whose behalf a social worker provides or agrees to provide a service or to whom the social worker is legally obligated to provide a service. (2005 CASW Code)

**Confidentiality**

A professional value that demands that professionally acquired information be kept private and not shared with third parties unless the client provides informed consent or a professional or legal obligation exists to share such information without client informed consent. *(2005 CASW Code)*

**Competency**

Competency is the ability to understand the action and its implications.

**Conflict of interest**

Conflict of interest includes any interest that would interfere with the duties of loyalty and freedom of judgment and action owed by the social worker to the client or prospective client or that would be likely to affect adversely the judgment or advice of the social worker on behalf of the client or prospective client.

**Discrimination**

Discrimination includes treating people unfairly or holding negative or prejudicial attitudes based on age, colour, disability, gender, language, marital status, national or ethnic origin, race, geographic location, religion, sex or sexual orientation, socio-economic status.

**Dual/multiple relationship**

Dual or multiple relationships include circumstances in which social workers relate to clients in more than one relationship, whether professional, social work or business. (2005 Guidelines, Introduction)

**Fiduciary duty**

A fiduciary duty means a duty that has been established where one party has placed its trust and confidence in another and the latter has accepted – expressly or by operations of law – to act in manner consistent with the reposing of such trust and confidence (1994 Code of Ethics, footnote #18)

**Informed Consent**

Informed consent means agreement reached voluntarily by a competent client after discussion as to foreseeable risks and benefits associated with the disclosure of confidential information.

**Self-Determination**

Self-determination means a client’s right to freedom of choice without interference from others, and based on principles of informed consent.

**Sexual Harassment**

Sexual harassment means unwelcome sexual comments or lewd statements, unwelcome sexual advances, unwelcome requests for sexual favors or other unwelcome conduct of a sexual nature in circumstance where a reasonable person could anticipate that the person harassed would be offended, humiliated or intimidated.



## VI. REFERENCES

AASW. (1999). AASW code of ethics. Kingston: Australian Association of Social Workers (AASW).

CASW. (1994). Social Work Code of Ethics. Ottawa: Canadian Association of Social Workers (CASW).

NASW. (1999). Code of Ethics. Washington: National Association of Social Workers (NASW).

### **SPECIFIC SOURCES**

The numbers listed refer to the sections in the 2007 NBASW Code of Ethics (ex: 1.1.1 in the 2007 NBASW Code of Ethics was taken from the CASW 1994 Code of Ethics)

### **SECTION 1- Ethical Obligations to Clients**

#### CASW 1994 Code of Ethics

- 1.1.1; 1.1.3; 1.1.6 in part.
- 1.5.1; 1.5.3; 1.5.8 in part; 1.5.19; 1.5.20 in part.
- 1.6.1; 1.6.2; 1.6.6; 1.6.7; 1.6.8.

#### CASW Guidelines for Ethical Practice

- Footnote to 1.1.1; 1.1.2; 1.1.4; 1.1.5; 1.1.6 in part; 1.1.7.
- 1.2.1 in part; 1.2.2; 1.2.3; 1.2.4 including footnote.
- Footnote; 1.3.1; 1.3.2; 1.3.4 in part; 1.3.5.
- 1.4.2; 1.4.3; 1.4.4; 1.4.6; 1.4.7; 1.4.8.
- 1.5.2; 1.5.4; 1.5.5; 1.5.6 including footnote; 1.5.7 including footnote; 1.5.8 in part; 1.5.9; 1.5.10; 1.5.11; 1.5.12; 1.5.13; 1.5.14; 1.5.15 including footnote; 1.5.16; 1.5.17; 1.5.18; 1.5.20 in part; 1.5.21.
- 1.6.3; 1.6.4 including footnote; 1.6.5; footnote in 1.6.6; footnote 1.6.7; 1.6.9; 1.6.10; 1.6.11.
- 1.7.1; 1.7.2.

#### National Association of Social Workers Code of Ethics

- 1.2.1 in part.
- 1.3.1; 1.3.3.

#### Australian Association of Social Workers Code of Ethics

- 1.2.1 in part; 1.3.4 in part.
- 1.4.1; 1.4.5.

### **SECTION 2- Ethical Obligations Professional Relationships**

CASW 1994 Code of Ethics

- 2.2.3.

CASW Guidelines for Ethical Practice

- 2.11.
- 2.2.1; 2.2.2.
- 2.3.1; 2.3.2; 2.3.3.
- 2.4.1.
- 2.5.1; 2.5.2.
- 2.6.1
- 2.7.1

Ethics, Practice Issues and Standards Committee of the NBASW

- 2.6.2

**SECTION 3 – Ethical Obligations to Colleagues**

CASW 1994 Code of Ethics

- 3.1.2.
- 3.3.2.
- 3.4.1.

CASW Guidelines for Ethical Practice

- 3.1.1.
- 3.2.1; 3.2.2 including footnote
- 3.3.1
- 3.4.2; 3.4.3; 3.4.4; 3.4.5; 3.4.6.
- 3.5.1 to 3.5.8

**SECTION 4 – Ethical Obligations in the Workplace**

CASW 1994 Code of Ethics

- 4.1.5 in part; 4.1.6

CASW Guidelines for Ethical Practice

- 4.1.1 to 4.1.4 including footnote; 4.1.5 in part; 4.1.7; 4.1.8.
- 4.2.1 to 4.2.7

**SECTION 5 – Ethical Obligations in Private Practice**

CASW 1994 Code of Ethics

- 5.3.2 in part.

CASW Guidelines for Ethical Practice

- 5.1.1.
- 5.2.1 including footnote.
- 5.3.1 including footnote; 5.3.2 in part; 5.3.3; 5.3.4.

**SECTION 6 – Ethical Obligations in Research**

CASW Guidelines for Ethical Practice

- 6.1.1; 6.1.2.
- 6.2.1 to 6.2.6
- 6.3.1 to 6.3.5 including footnote.
- 6.4.1; 6.4.2.
- 6.5.1 to 6.5.3

**SECTION 7– Ethical Obligations to the Profession**

CASW 1994 Code of Ethics

- 7.1.4; 7.1.5; 7.1.7 in part; 7.1.10 in part.
- 7.2.2; 7.2.3;
- 7.3.2 in part;

CASW Guidelines for Ethical Practice

- 7.1.1 including footnote; 7.1.2; 7.1.3; 7.1.6; 7.1.7 in part.
- 7.2.1; including footnote; 7.2.4; 7.2.5.
- 7.3.1; 7.3.2 in part.
- 7.3.3.

**SECTION 8 – Ethical Obligations to Society**

CASW 1994 Code of Ethics

- 8.1.1

CASW Guidelines for Ethical Practice

- 8.2.1 to 8.2.5
- 8.3.1.
- 8.4.1
- 8.5.1