

CODE OF ETHICS

CAVEAT: This is a summary of typical elements found in codes of ethics; a paraphrasing of the common shared statements that are found in various associations' codes of ethics. ALWAYS defer to specific associations and follow their specific codes of ethics, especially if you are a member of a particular association. Readers are to be familiar with all codes that affect their counseling practice, including, but not limited to their state licensing board, associations they belong to and association that they don't belong to but offer guidance in areas of counseling the counselor provides.

The primary missions:

- To enhance human well-being and help meet the basic human needs of all people, with particular attention to the needs and empowerment of people who are vulnerable, oppressed, and living in poverty.
- Promote social justice and social change with and on behalf of clients. "Clients" is used inclusively to refer to individuals, families, groups, organizations, and communities.
- Sensitive to cultural and ethnic diversity and strive to end discrimination, oppression, poverty, and other forms of social injustice.
- Seek to promote the responsiveness of organizations, communities, and other social institutions to individuals' needs and social problems.

The mission is rooted in a set of core values. These core values are the foundation of social work's unique purpose and perspective:

- Service, Social justice, Dignity and worth of the person, Importance of human relationships, Integrity, and Competence

Code of Ethics serves several purposes:

- The Code identifies core values on which social work's mission is based.
- The Code summarizes broad ethical principles that reflect the profession's core values and establishes a set of specific ethical standards that should be used to guide social work practice.
- The Code is designed to help counselors identify relevant considerations when professional obligations conflict or ethical uncertainties arise.
- The Code provides ethical standards to which the general public can hold the social work profession accountable.
- The Code socializes practitioners new to the field to social work's mission, values, ethical principles, and ethical standards.
- The Code articulates standards that the social work profession itself can use to assess whether counselors have engaged in unethical conduct. Associations have formal procedures to adjudicate ethics complaints filed against its members. In subscribing to an associations' Code, counselors are required to cooperate in its implementation, participate in association adjudication proceedings, and abide by any associations' [that counselor belongs to] disciplinary rulings or sanctions based on it.

- The Code offers a set of values, principles, and standards to guide decision making and conduct when ethical issues arise.

Ethical responsibilities flow from all human relationships, from the personal and familial to the social and professional.

Ethical decision-making is a process

- Violation of standards in this Code does not automatically imply legal liability or violation of the law. Such determination can only be made in the context of legal and judicial proceedings. Alleged violations of the Code would be subject to a peer review process. Such processes are generally separate from legal or administrative procedures and insulated from legal review or proceedings to allow the profession to counsel and discipline its own members.
- A code of ethics cannot guarantee ethical behavior.
- Moreover, a code of ethics cannot resolve all ethical issues or disputes or capture the richness and complexity involved in striving to make responsible choices within a moral community.
- Rather, a code of ethics sets forth values, ethical principles, and ethical standards to which professionals aspire and by which their actions can be judged.

Ethical Standards

These standards concern:

- Ethical responsibilities to clients, Ethical responsibilities to colleagues, Ethical responsibilities in practice settings, Ethical responsibilities as professionals, Ethical responsibilities to the social work profession, and Ethical responsibilities to the broader society.

Integrity of the Profession

- Counselors should work toward the maintenance and promotion of high standards of practice.
- Counselors should uphold and advance the values, ethics, knowledge, and mission of the profession. Counselors should protect, enhance, and improve the integrity of the profession through appropriate study and research, active discussion, and responsible criticism of the profession.
- Counselors should contribute time and professional expertise to activities that promote respect for the value, integrity, and competence of the work profession. These activities may include teaching, research, consultation, service, legislative testimony, presentations in the community, and participation in their professional organizations.
- Counselors should contribute to the knowledge base of social work and share with colleagues their knowledge related to practice, research, and ethics. Counselors should seek to contribute to the profession's literature and to share their knowledge at professional meetings and conferences.

Commitment to Clients

- Counselor primary responsibility is to promote the well-being of clients. In general, clients' interests are primary. However, responsibility to the larger society or specific legal obligations may on limited occasions supersede the loyalty owed clients, and clients should be so advised. (Examples include when a required by law to report that a client has abused a child or has threatened to harm self or others.)

Informed Consent

- Provide services to clients only in the context of a professional relationship based, when appropriate, on valid informed consent.
- Use clear and understandable language to inform clients of the purpose of the services, risks related to the services, limits to services because of the requirements of a third-party payer, relevant costs, reasonable alternatives, clients' right to refuse or withdraw consent, and the time frame covered by the consent.
- Provide clients with an opportunity to ask questions
- In instances when clients are not literate or have difficulty understanding the primary language used in the practice setting, take steps to ensure clients' comprehension. This may include providing clients with a detailed verbal explanation or arranging for a qualified interpreter or translator whenever possible.
- In instances when clients lack the capacity to provide informed consent, counselors should protect clients' interests by seeking permission from an appropriate third party, informing clients consistent with the clients' level of understanding. In such instances you should seek to ensure that the third party acts in a manner consistent with clients' wishes and interests. You should take reasonable steps to enhance such clients' ability to give informed consent.
- In instances when clients are receiving services involuntarily, counselors should provide information about the nature and extent of services and about the extent of clients' right to refuse service.

Competence

- Counselors should provide services and represent themselves as competent only within the boundaries of their education, training, license, certification, consultation received, supervised experience, or other relevant professional experience.
- Counselors should provide services in substantive areas or use intervention techniques or approaches that are new to them only after engaging in appropriate study, training, consultation, and supervision from people who are competent in those interventions or techniques.
- When generally recognized standards do not exist with respect to an emerging area of practice, counselors should exercise careful judgment and take responsible steps (including appropriate education, research, training,

consultation, and supervision) to ensure the competence of their work and to protect clients from harm.

Cultural Competence and Social Diversity

- Counselors should understand culture and its function in human behavior and society, recognizing the strengths that exist in all cultures.
- Counselors should have a knowledge base of their clients' cultures and be able to demonstrate competence in the provision of services that are sensitive to clients' cultures and to differences among people and cultural groups.
- Counselors should obtain education about and seek to understand the nature of social diversity and oppression with respect to race, ethnicity, national origin, color, sex, sexual orientation, age, marital status, political belief, religion, and mental or physical disability.

Conflicts of Interest (Dual or Multiple Relationships)

- Counselors should be alert to and avoid conflicts of interest that interfere with the exercise of professional discretion and impartial judgment. They should 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' interests primary and protects clients' interests to the greatest extent possible. In some cases, protecting clients' interests may require termination of the professional relationship with proper referral of the client.
- Counselors should not take unfair advantage of any professional relationship or exploit others to further their personal, religious, political, or business interests.
- Counselors should not engage in dual or multiple relationships with clients or former clients in which there are a risk of exploitation or potential harm to the client. In instances when dual or multiple relationships are unavoidable, counselors should take steps to protect clients and are responsible for setting clear, appropriate, and culturally sensitive boundaries. (Dual or multiple relationships occur when counselors relate to clients in more than one relationship, whether professional, social, or business. Dual or multiple relationships can occur simultaneously or consecutively.)
- When counselors provide services to two or more people who have a relationship with each other (for example, couples, family members), they should clarify with all parties which individuals will be considered clients and the nature of counselors' professional obligations to the various individuals who are receiving services. Counselors who anticipate a conflict of interest among the individuals receiving services or who anticipate having to perform in potentially conflicting roles (for example, when a counselor is asked to testify in a child custody dispute or divorce proceedings involving clients) should clarify their role with the parties involved and take appropriate action to minimize any conflict of interest.

Privacy and Confidentiality

- Counselors should respect clients' right to privacy. They should not solicit private information from clients unless it is essential to providing services or conducting social work evaluation or research. Once private information is shared, standards of confidentiality apply.
- Counselors may disclose confidential information when appropriate with valid consent from a client or a person legally authorized to consent on behalf of a client.
- Counselors should protect the confidentiality of all information obtained in the course of professional service, except for compelling professional reasons. The general expectation that counselors will keep information confidential does not apply when disclosure is necessary to prevent serious, foreseeable, and imminent harm to a client or other identifiable person. In all instances, counselors should disclose the least amount of confidential information necessary to achieve the desired purpose; only information that is directly relevant to the purpose for which the disclosure is made should be revealed.
- Counselors should inform clients, to the extent possible, about the disclosure of confidential information and the potential consequences, when feasible before the disclosure is made. This applies whether counselors disclose confidential information on the basis of a legal requirement or client consent.
- Counselors should discuss with clients and other interested parties the nature of confidentiality and limitations of clients' right to confidentiality. Counselors should review with clients circumstances where confidential information may be requested and where disclosure of confidential information may be legally required. This discussion should occur as soon as possible in the counselor-client relationship and as needed throughout the course of the relationship.
- When counselors provide counseling services to families, couples, or groups, counselors 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. Counselors should inform participants in family, couples, or group counseling that counselors cannot guarantee that all participants will honor such agreements.
- Counselors should inform clients involved in family, couples, marital, or group counseling of the employers and agency's policy concerning the counselor's disclosure of confidential information among the parties involved in the counseling.
- Counselors should not disclose confidential information to third-party payers unless clients have authorized such disclosure.
- Counselors should not discuss confidential information in any setting unless privacy can be ensured. Counselors should not discuss confidential information in public or semipublic areas such as hallways, waiting rooms, elevators, and restaurants.

Privacy And Confidentiality (Continued)

- Counselors should protect the confidentiality of clients during legal proceedings to the extent permitted by law. When a court of law or other legally authorized body orders counselors to disclose confidential or privileged information without a client's consent and such disclosure could cause harm to the client, they should request that the court withdraw the order or limit the order as narrowly as possible or maintain the records under seal, unavailable for public inspection.
- Counselors should protect the confidentiality of clients when responding to requests from members of the media.
- Counselors should protect the confidentiality of clients' written and electronic records and other sensitive information. Counselors should take reasonable steps to ensure that clients' records are stored in a secure location and that clients' records are not available to others who are not authorized to have access.
- Counselors should take precautions to ensure and maintain the confidentiality of information transmitted to other parties through the use of computers, electronic mail, facsimile machines, telephones and telephone answering machines, and other electronic or computer technology. Disclosure of identifying information should be avoided whenever possible.
- Counselors should transfer or dispose of clients' records in a manner that protects clients' confidentiality and is consistent with state statutes governing records and social work licensure.
- Counselors should take reasonable precautions to protect client confidentiality in the event of the counselor's termination of practice, incapacitation, or death.
- Counselors should not disclose identifying information when discussing clients for teaching or training purposes unless the client has consented to disclosure of confidential information.
- Counselors should not disclose identifying information when discussing clients with consultants unless the client has consented to disclosure of confidential information or there is a compelling need for such disclosure.
- Counselors should protect the confidentiality of deceased clients consistent with the preceding standards.

Self-Determination vs. Possible Duty to Warn or Protect

- Counselors respect and promote the right of clients to self-determination and assist clients in their efforts to identify and clarify their goals. They may limit clients' right to self-determination when, in their professional judgment, clients' actions or potential actions pose a serious, foreseeable, and imminent risk to themselves or others.

Sexual Relationships

- Counselors should under no circumstances engage in sexual activities or sexual contact with current clients, whether such contact is consensual or forced.
- Counselors should not engage in sexual activities or sexual contact with clients' relatives or other individuals with whom clients maintain a close personal relationship when there is a risk of exploitation or potential harm to the client. Sexual activity or sexual contact with clients' relatives or other individuals with

whom clients maintain a personal relationship has the potential to be harmful to the client and may make it difficult for the counselor and client to maintain appropriate professional boundaries. Counselors--not their clients, their clients' relatives, or other individuals with whom the client maintains a personal relationship--assume the full burden for setting clear, appropriate, and culturally sensitive boundaries.

- Counselors should not engage in sexual activities or sexual contact with former clients because of the potential for harm to the client. If they engage in conduct contrary to this prohibition or claim that an exception to this prohibition is warranted because of extraordinary circumstances, it is their--not the clients--who assume the full burden of demonstrating that the former client has not been exploited, coerced, or manipulated, intentionally or unintentionally.
- Counselors should not provide clinical services to individuals with whom they have had a prior sexual relationship. Providing clinical services to a former sexual partner has the potential to be harmful to the individual and is likely to make it difficult for the counselor and individual to maintain appropriate professional boundaries.

Physical Contact

- Counselors should not engage in physical contact with clients when there is a possibility of psychological harm to the client as a result of the contact (such as cradling or caressing clients). Counselors who engage in appropriate physical contact with clients are responsible for setting clear, appropriate, and culturally sensitive boundaries that govern such physical contact.

Sexual Harassment

- Counselors should not sexually harass clients. Sexual harassment includes sexual advances, sexual solicitation, requests for sexual favors, and other verbal or physical conduct of a sexual nature.

Derogatory Language

- Counselors should not use derogatory language in their written or verbal communications to or about clients. Counselors should use accurate and respectful language in all communications to and about clients.

Access to Records

- Counselors should provide clients with reasonable access to records concerning the clients. Counselors who are concerned that clients' access to their records could cause serious misunderstanding or harm to the client should provide assistance in interpreting the records and consultation with the client regarding the records. Counselors should limit clients' access to their records, or portions of their records, only in exceptional circumstances when there is compelling evidence that such access would cause serious harm to the client. Both clients' requests and the rationale for withholding some or all of the record should be documented in clients' files.

- When providing clients with access to their records, counselors should take steps to protect the confidentiality of other individuals identified or discussed in such records.

Payment for Services

- When setting fees, counselors should ensure that the fees are fair, reasonable, and commensurate with the services performed. Consideration should be given to clients' ability to pay.
- Counselors should avoid accepting goods or services from clients as payment for professional services. Bartering arrangements, particularly involving services, create the potential for conflicts of interest, exploitation, and inappropriate boundaries in counselors' relationships with clients. Counselors should explore and may participate in bartering only in very limited circumstances when it can be demonstrated that such arrangements are an accepted practice among professionals in the local community, considered to be essential for the provision of services, negotiated without coercion, and entered into at the client's initiative and with the client's informed consent. Counselors 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 or the professional relationship.
- Counselors should not solicit a private fee or other remuneration for providing services to clients who are entitled to such available services through the counselors' employer or agency.

Interruption of Services

- Counselors should make reasonable efforts to ensure continuity of services in the event that services are interrupted by factors such as unavailability, relocation, illness, disability, or death.

Termination of Services

- Counselors should terminate services to clients and professional relationships with them when such services and relationships are no longer required or no longer serve the clients' needs or interests.
- Counselors should take reasonable steps to avoid abandoning clients who are still in need of services. Counselors should withdraw services precipitously only under unusual circumstances, giving careful consideration to all factors in the situation and taking care to minimize possible adverse effects. Counselors should assist in making appropriate arrangements for continuation of services when necessary.
- Counselors in fee-for-service settings may terminate services to clients who are not paying an overdue balance if the financial contractual arrangements have been made clear to the client, if the client does not pose an imminent danger to self or others, and if the clinical and other consequences of the current nonpayment have been addressed and discussed with the client.
- Counselors should not terminate services to pursue a social, financial, or sexual relationship with a client.

- Counselors who anticipate the termination or interruption of services to clients should notify clients promptly and seek the transfer, referral, or continuation of services in relation to the clients' needs and preferences.
- Counselors who are leaving an employment setting should inform clients of appropriate options for the continuation of services and of the benefits and risks of the options.

Counselors' Ethical Responsibilities to Colleagues

- **Respect:** Counselors should treat colleagues with respect and should represent accurately and fairly the qualifications, views, and obligations of colleagues. Counselors should avoid unwarranted negative criticism of colleagues in 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, age, marital status, political belief, religion, and mental or physical disability. Counselors should cooperate with the work colleagues and with colleagues of other professions when such cooperation serves the well-being of clients.
- **Confidentiality:** Counselors should respect confidential information shared by colleagues in the course of their professional relationships and transactions. Counselors should ensure that such colleagues understand counselors' obligation to respect confidentiality and any exceptions related to it.

Counselors' Ethical Responsibilities to Colleagues (Continued)

- **Interdisciplinary Collaboration:** Counselors who are members of an interdisciplinary team should participate in and contribute to decisions that affect the well-being of clients by drawing on the perspectives, values, and experiences of the profession. Professional and ethical obligations of the interdisciplinary team as a whole and of its individual members should be clearly established. Counselors for whom a team decision raises ethical concerns should attempt to resolve the disagreement through appropriate channels. If the disagreement cannot be resolved, counselors should pursue other avenues to address their concerns consistent with client well-being.
- **Disputes Involving Colleagues:** Counselors should not take advantage of a dispute between a colleague and an employer to obtain a position or otherwise advance the counselors' own interests. Counselors should not exploit clients in disputes with colleagues or engage clients in any inappropriate discussion of conflicts between counselors and their colleagues.
- **Consultation:** Counselors should seek the advice and counsel of colleagues whenever such consultation is in the best interests of clients. Counselors should keep themselves informed about colleagues' areas of expertise and competencies. Counselors should seek consultation only from colleagues who have demonstrated knowledge, expertise, and competence related to the subject of the consultation. When consulting with colleagues about clients,

counselors should disclose the least amount of information necessary to achieve the purposes of the consultation.

- **Referral for Services:** Counselors should refer clients to other professionals when the other professionals' specialized knowledge or expertise is needed to serve clients fully or when they believe that they are not being effective or making reasonable progress with clients and that additional service is required. Counselors who refer clients to other professionals should take appropriate steps to facilitate an orderly transfer of responsibility. Counselors who refer clients to other professionals should disclose, with clients' consent, all pertinent information to the new service providers. Counselors are prohibited from giving or receiving payment for a referral when no professional service is provided by the referring counselor.
- **Sexual Relationships:** Counselors who function as supervisors or educators should not engage in sexual activities or contact with supervisees, students, trainees, or other colleagues over whom they exercise professional authority. Counselors should avoid engaging in sexual relationships with colleagues when there is potential for a conflict of interest. Counselors who become involved in, or anticipate becoming involved in, a sexual relationship with a colleague have a duty to transfer professional responsibilities, when necessary, to avoid a conflict of interest.

Counselors' Ethical Responsibilities to Colleagues (Continued)

- **Sexual Harassment:** Counselors should not sexually harass supervisees, students, trainees, or colleagues. Sexual harassment includes sexual advances, sexual solicitation, requests for sexual favors, and other verbal or physical conduct of a sexual nature.
- **Impairment of Colleagues:** Counselors who have direct knowledge of a social work colleague's impairment that is due to personal problems, psychosocial distress, substance abuse, or mental health difficulties and that interferes with practice effectiveness should consult with that colleague when feasible and assist the colleague in taking remedial action. Counselors who believe that a social work colleague's impairment interferes with practice effectiveness and that the colleague has not taken adequate steps to address the impairment should take action through appropriate channels established by employers, agencies, licensing and regulatory bodies, and other professional organizations.
- **Incompetence of Colleagues:** Counselors who have direct knowledge of a social work colleague's incompetence should consult with that colleague when feasible and assist the colleague in taking remedial action. Counselors who believe that a social work colleague is incompetent and has not taken adequate steps to address the incompetence should take action through appropriate channels established by employers, agencies, licensing and regulatory bodies, and other professional organizations.
- **Unethical Conduct of Colleagues:** Counselors should take adequate measures to discourage, prevent, expose, and correct the unethical conduct of colleagues.

Counselors should be knowledgeable about established policies and procedures for handling concerns about colleagues' unethical behavior. Counselors should be familiar with national, state, and local procedures for handling ethics complaints. These include policies and procedures created by associations, licensing and regulatory bodies, employers, agencies, and other professional organizations. Counselors who believe that a colleague has acted unethically should seek resolution by discussing their concerns with the colleague when feasible and when such discussion is likely to be productive. When necessary, counselors 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, an association committee on inquiry, or other professional ethics committees). Counselors should defend and assist colleagues who are unjustly charged with unethical conduct.

Client Records

- Counselors should take reasonable steps to ensure that documentation in records is accurate and reflects the services provided.
- Counselors should include sufficient and timely documentation in records to facilitate the delivery of services and to ensure continuity of services provided to clients in the future.
- Counselors' documentation should protect clients' privacy to the extent that is possible and appropriate and should include only information that is directly relevant to the delivery of services.
- Counselors should store records following the termination of services to ensure reasonable future access. Records should be maintained for the number of years required by state statutes or relevant contracts.

Billing

- Counselors should establish and maintain billing practices that accurately reflect the nature and extent of services provided and that identify who provided the service in the practice setting.
- Client Transfer
- When an individual who is receiving services from another agency or colleague contacts a counselor for services, the counselor should carefully consider the client's needs before agreeing to provide services. To minimize possible confusion and conflict, counselors should discuss with potential clients the nature of the clients' current relationship with other service providers and the implications, including possible benefits or risks, of entering into a relationship with a new service provider.
- If a new client has been served by another agency or colleague, counselors should discuss with the client whether consultation with the previous service provider is in the client's best interest.

Competence

- Counselors should accept responsibility or employment only on the basis of existing competence or the intention to acquire the necessary competence.

- Counselors should strive to become and remain proficient in professional practice and the performance of professional functions. Counselors should critically examine and keep current with emerging knowledge relevant to work. Counselors should routinely review the professional literature and participate in continuing education relevant to work practice and work ethics.
- Counselors should base practice on recognized knowledge, including empirically based knowledge, relevant to social work and social work ethics.

Discrimination

- Counselors should not practice, condone, facilitate, or collaborate with any form of discrimination on the basis of race, ethnicity, national origin, color, sex, sexual orientation, age, marital status, political belief, religion, or mental or physical disability.

Private Conduct

- Counselors should not permit their private conduct to interfere with their ability to fulfill their professional responsibilities.
- Dishonesty, Fraud, and Deception
- Counselors should not participate in, condone, or be associated with dishonesty, fraud, or deception.

Impairment

- Counselors should not allow their own personal problems, psychosocial distress, legal problems, substance abuse, or mental health difficulties to interfere with their professional judgment and performance or to jeopardize the best interests of people for whom they have a professional responsibility.
- Counselors whose personal problems, psychosocial distress, legal problems, substance abuse, or mental health difficulties interfere with their professional judgment and performance should immediately seek consultation and take appropriate remedial action by seeking professional help, making adjustments in workload, terminating practice, or taking any other steps necessary to protect clients and others.

Misrepresentation

- Counselors should make clear distinctions between statements made and actions engaged in as a private individual and as a representative of the work profession, a professional social work organization, or the worker's employing agency.
- Counselors who speak on behalf of professional social work organizations should accurately represent the official and authorized positions of the organizations.
- Counselors should ensure that their representations to clients, agencies, and the public of professional qualifications, credentials, education, competence, affiliations, services provided, or results to be achieved are accurate. Counselors should claim only those relevant professional credentials they actually possess and take steps to correct any inaccuracies or misrepresentations of their credentials by others.

ASSIGNMENT

Read your state licensing board's codes of professional conduct

Read the code of ethics from any association you belong to

Read the code of ethics from associations relevant to your practice