

# Chapter 3 The Code of Ethics of ANZASW

Member is used throughout to denote any person who is a full, life or provisional member of the Aotearoa New Zealand Association of Social Workers (Inc), referred to in other places as the Association

**The Code of Ethics of the Aotearoa New Zealand Association of Social Workers This Code of Ethics is founded on the guidelines enumerated by the International Federation of Social Workers, as set out in Chapter Four, sections 4 and 5 in this book. In addition, and in keeping with the Objects of ANZASW, the Code also recognises the unique constitutional foundation of the articles of Te Tiriti o Waitangi.**

**Membership of the Association brings with it an obligation to study, incorporate into professional practice, adhere to and promote this Code .**

All parts of the Code should be read together, and be regarded as having equal status.

## **1. Responsibility for Te Tiriti o Waitangi - based Society**

- 1.1 In all relationships with Tangata Whenua, members make ethical decisions and stand by these, in accordance with this Code.
- 1.2 Te Tiriti o Waitangi is a required subject in the education of members both upon entry into social work and ongoing. This includes a knowledge and understanding of their own ethnicity and the Tangata Whenua and Tauitiwi histories of Aotearoa New Zealand.
- 1.3 Ideally, members will work with agencies and organisations whose policies, procedures and practices are based on Te Tiriti o Waitangi, and actively and constructively promote change in those agencies and organisations that operate from a mono - cultural base.
- 1.4 Appropriate social work requires members to seek to understand differing Tangata Whenua perspectives. Members and social service agencies and organisations respect these differences and at all times avoid imposing mono - cultural values and concepts on Tangata Whenua.
- 1.5 Mono - cultural control over power and resources must be relinquished so that Tangata Whenua can achieve Tino Rangatiratanga. Members relinquish control over their discretionary power and those resources available, so far as that is appropriate within the realities of their workplace.
- 1.6 Members actively promote the rights of Tangata Whenua to utilise Tangata Whenua social work models of practice and ensure the protection of the integrity of Tangata Whenua in a manner which is culturally appropriate.
- 1.7 Members accept the responsibility of their status and are actively anti-racist in their practice. Whenua.

## **2 Responsibility to the Wider Community**

- 2.1 Members accurately inform the wider community about the services that they offer, and do not misrepresent their knowledge, skills, statutory status, training, qualifications and experience.
- 2.2 From the private troubles they encounter with clients, members encourage the growth and disciplined use of all forms of knowledge that:
  - identify and analyse private troubles and public issues
  - inform society at large about social injustice, and
  - inform and enable social workers to effectively carry out their role and function.
- 2.3 Members advocate social justice and principles of inclusion and choice for all members of society, having particular regard for disadvantaged minorities. They act to prevent and eliminate discrimination against any person or group based on age, beliefs, culture, gender, marital, legal or family status, intellectual, psychological and physical abilities, race, religion, sexual orientation, and social or economic status.

- 2.4 To this end, members promote socially just policies, legislation, and improved social conditions, that encourage the development and just allocation of community resources. They also act to ensure that everyone has access to the existing resources, services and opportunities that they need.
- 2.5 Members encourage public participation in the development of and decision making about social policies and structures.
- 2.6 Members engage in constructive action to change the structures of society that create and perpetuate injustice. They respect the law, whilst working towards change in any laws that disadvantage clients or other members of the community.
- 2.7 Members never directly or indirectly support individuals, groups, political forces or power structures using violence, terrorism, torture or similar means.

### **3 Responsibility to Clients**

- 3.1 Within the context of their legal obligations, members always acknowledge that client interests and welfare are their first priority, and work accordingly.
- 3.2 Members respect the worth and dignity of clients, and work in non-discriminatory ways that acknowledge the age, beliefs, culture, gender, marital, legal or family status, intellectual, psychological and physical abilities, race, religion, sexual orientation, and social and economic status of clients.
- 3.3 The Association recognises the right of Tangata Whenua clients to have a Tangata Whenua worker. Ideally, members and their agencies ensure that Tangata Whenua clients have access to Tangata Whenua workers at all levels. If no Tangata Whenua worker is available, appropriate referral may be made if that is requested by the client
- 3.4 A member's moral position or religious convictions do not override their duty to ensure client independence. They will maintain professional objectivity, advise clients of any potential and relevant personal, moral or religious conflict, and if indicated, offer appropriate referral to another social worker.
- 3.5 Members do not abuse their relationship with clients for personal, professional, political, financial, or sexual gain. Sexual relationships with clients, supervisees and/or students are unethical. Neither do members encourage or engage in sexual intimacy, either during the time of that professional relationship, or for that subsequent period of time during which the power relationship could be expected to influence personal decision making. It always remains the responsibility of the member, as a social worker, to maintain appropriate boundaries. It is not appropriate to terminate a professional relationship in order to facilitate an intimate relationship with a client, student or supervisee. A sexual relationship, sexual contact or any other form of sexual behaviour between a member and a client is never a valid form of therapy or assistance.
- 3.6 Members neither sexually harass clients; nor condone sexual harassment by others.
- 3.7 Members must fully inform clients of the services they offer and the nature of any proposed involvement. It is important to obtain a client's informed consent to participate in any service offered. Members are responsible to fully inform clients of their rights, and of avenues for complaints they may have about the services provided, or the meaning and consequences of any statutory compulsion (see Section 3.9).
- 3.8 In relation to social work with Tangata Whenua clients, members:
- have a responsibility to acknowledge and support the whānau as the primary source of protection of the integrity of its family members
  - recognise the right of the whānau to make its own decisions, and ensure that self determination occurs when it is within the member's power to do so, and
  - work towards minimising legal and other forms of compulsion that impose mono-cultural solutions to Tangata Whenua issues and problems. Members' professional practice promotes and provides the opportunity for active participation by Tangata Whenua in all decision making.
- 3.9 Members only participate in the use of compulsion when there is a clear professional justification for that course of action. Compulsion might be necessary to solve one party's problems at the expense of another's. In that situation, the member consults all parties before the use of compulsion commences. In the case of Tangata Whenua clients, members have a responsibility to consult with the client's whānau (or other Tangata Whenua authority as appropriate to the circumstances).
- 3.10 Members work in ways that encourages and enables self determination by clients. If a client lacks capacity, or is otherwise unable to act with self determination, there is a duty to protect the client's rights and welfare.

- 3.11 Professional accountability requires members to maintain accurate client records, and to take all reasonable steps to ensure the confidentiality of this information. The right of clients to see their records must be respected and advocated for by the member where access is difficult or denied. Care to preserve the privacy of others in those records is essential.
- 3.12 Client integrity is preserved by maintaining client confidentiality; by members taking care to inform themselves on all relevant aspects of each client's situation; and by keeping the client informed.
- 3.13 The following limitations to client confidentiality may exist:
- Where a client is incapable of giving Tangata Whenua consent for any professional disclosure of her or his information, the member seeks consent from whoever legally represents the client's interests.
  - In an emergency, a decision to provide client information to responsible third parties may be in the client's best interests. In such an instance, it is the member's duty to fully inform the client as soon as is reasonable after the event of what information was divulged and to whom.
  - By the nature of their vocation, members are from time to time compelled by legislation or the Courts to disclose client information. That leads to a duty to inform the client of potential limitations to confidentiality.
  - A member may conclude that the client or someone else (such as a child) may be endangered or harmed by non-disclosure. In any event where disclosure of client information is critically indicated, it should only be done after consultation with a supervisor or colleagues.
- 3.14 Where it is necessary to disclose client information, only the minimum required for the purpose should be given.
- 3.15 Communications between clients and the member as social worker may come within professional privilege, because certain legal rules as well as ethical standards protect client information. Members become familiar with and work according to the relevant statutes and common law relating to client rights, evidence, official information, and privacy.
- 3.16 Informed consent from clients must be obtained before taping, recording or permitting others to observe interactions with the client. Client information must not be used for the purposes of teaching and learning, or public presentation in any form, unless identifying information has been removed or adequately disguised, or clients have given informed consent.
- 3.17 Client confidentiality must be preserved when members submit information to funding agencies. Clients must be informed if there is any possibility that this data could lead to the identification of individuals.

## **4 Responsibility to Agencies and Organisations**

- 4.1 Social workers should take reasonable steps to ensure that their employing organisations' practices are consistent with the ANZASW Code of Ethics.
- 4.2 Social workers should take reasonable steps to ensure that Tangata Whenua are consulted with to ensure that the structures, aims and functions of the agency or organisation they are working for provides the best standards of service and that Tangata Whenua are included in all decision making at all levels.
- 4.3 Social workers should take reasonable steps to ensure that the workplace is culturally appropriate for the clients of the organisation.
- 4.4 Social workers generally should adhere to commitments made to employers and employing organisations
- 4.5 Social workers should take reasonable steps to participate in the regular and ongoing review and improvement of their employing agencies' policies and procedures and the efficiency and effectiveness of their services.
- 4.6 Social workers should take reasonable steps to ensure that employers are aware of social workers' ethical obligations as set out in the ANZASW Code of Ethics and of the implications of those obligations for social work practice.
- 4.7 Social workers should not allow an employing organisation's policies, procedures, regulations, or administrative orders to interfere with their ethical practice of social work.
- 4.8 Social workers should act to prevent and eliminate discrimination in the employing organisations' work assignments and in its employment policies and practices.
- 4.9 Social workers should accept employment or arrange student field placements only in organisations that exercise fair personnel practices.

- 4.10 Social workers should be diligent stewards of the resources of their employing organisations, wisely conserving funds where appropriate and never misappropriating funds or using them for unintended purposes.
- 4.11 Social workers maintain professional accountability to clients and the wider community through ongoing evaluation of their own performance.
- 4.12 Where members are working in private practice, they will ensure all practices are consistent with the expectations described in this section.

## **5 Responsibility to Colleagues**

- 5.1 Members relate to colleagues with integrity, respect, courtesy, openness and honesty. They should respect and seek to understand differences of opinion and practice, and express constructive criticism of each other in a responsible manner.
- 5.2 Members have a responsibility to promote understanding amongst all colleagues of the need for practice based on Te Tiriti o Waitangi, and promote the adoption of practice based on Te Tiriti o Waitangi throughout the profession.
- 5.3 The rights of colleagues to constructively challenge mono-cultural knowledge, values and methods in social work practice are upheld by all members.
- 5.4 Members practise and promote co-operation with colleagues to enhance the aims and ethics of social work, and development of the skills and knowledge base. They should share knowledge, experience and ideas, and promote opportunities for further education and training.
- 5.5 Members encourage and support collegial research to enhance the growth of all forms of knowledge that inform and enable social workers to effectively carry out their role and function.
- 5.6 Members in the education and training sectors assist students and new entrants to the profession to develop high standards of ethical behaviour, methods of learning, analytical ability, knowledge and skills.
- 5.7 Both the everyday and professional conduct and integrity of members must be beyond reproach. Where a situation is too serious to be resolved by discussion with the colleague concerned, instances of professional misconduct or unethical behaviour by that colleague (particularly where this involves actions that are harmful to clients) must be brought to the attention of the appropriate bodies.
- 5.8 All members give recognition to the process whereby complaints about their practice are investigated.
- 5.9 Members must neither sexually harass colleagues nor condone sexual harassment of colleagues by others.

## **6 Responsibility in Supervisory Relationships**

- 6.1 The Association asserts that ethical practice can be maintained only where appropriate arrangements for supervision of practice are in place. Supervision takes different forms in different settings, but is generally directed towards competent practice, client well-being, the development and well-being of the social worker, and towards organisational learning. Its objectives are competency, accountable practice, continuing professional development and education. Supervision occurs within a professional relationship between one or several supervisees and one or several supervisors. As with social work practice, it is informed by and grounded in the Articles of Te Titiri o Waitangi.
- 6.2 Individual members, as supervisees, have the responsibility to:
- ensure that they access appropriate supervision
  - understand and negotiate their role, responsibilities and relationship as a social work supervisee
  - actively participate in the supervision process and relationship
  - act in the interests of client well-being within their professional and organisational mandate and in accordance with their supervision contract.
- 6.3 Supervisors have the responsibility to:
- work within the level of their competency, undertake specific foundation training and pursue continuing education in social work supervision theory, skills and practice
  - negotiate a written contract for service with each supervisee, which must include reciprocal roles and responsibilities, specify accountability and reporting lines to agencies or third parties. and methods for the resolution of disputes
  - apply the principles of all clauses of this Code in their relationships with supervisees
  - recognise the differing needs of supervisees related to their personal and professional background, level of experience, gender, and cultural

## **7 Responsibility for Self**

- 7.1 Members act with integrity at all times, and in the knowledge that their standards of behaviour reflect also on the Association and the profession of social work.
- 7.2 Members are required to acquire the knowledge and skills that are relevant to their field of work, and to ensure that these are kept up to date. They will maintain a critical response to new knowledge.
- 7.3 Similarly, continuing professional development is a requirement, through activities such as formal or adhoc continuing education courses, familiarity with the current social work literature, professional forums and debate, in order to maintain their skills, knowledge and competence.
- 7.4 Members take responsibility for their own emotional, mental and physical health. They will acknowledge that there are limits to the service they can provide, and for their own protection and that of clients, members need to consciously consider whether they can take on any particular task. Respect for their individual health and self esteem should be maintained.

## **8 Responsibility for Research and Publications**

- 8.1 All research activities carried out by members (or by others under their supervision) must meet the appropriate scientific standards of competency and sensitivity to the wellbeing and dignity of participants. As with social work practice, it is informed by and grounded in the Articles of Te Tiriti o Waitangi.
- 8.2 The informed consent of participants must be obtained except in situations where an exception can be justified by the research methodology. Informed consent means agreement to participate in the research, or agreement by those authorised to represent the interests of any person judged to be incapable of giving informed consent, and covers them being informed of:
  - the purpose, nature and procedures of the research
  - any research procedures that might have harmful effects on them
  - the right to withdraw from a research project at any stage and, if they have been paid to participate, the conditions of withdrawal
  - the right to know the use to which the data may be put and of the outcome of the study.
- 8.3 Members must submit their research proposals involving human participants to an appropriate ethics committee for review.
- 8.4 Members take all possible steps to protect participants from physical and mental discomfort, harm or danger.
- 8.5 A full justification must be made to an appropriate ethics committee of any methodological requirement of a study that involves the use of concealment or deception with human participants. The researcher has to demonstrate that other non-deceptive procedures could not be used, and has to obtain the consent of participants to waive their right to prior information on the nature and purpose of the study and ensure that all participants are given full explanations as soon as practicable
- 8.6 Accuracy and objectivity in reporting data or information is required. Public comments by members must be pertinent to areas of social work in which they have appropriate knowledge. When reporting research findings, members have a responsibility to include relevant details of research findings that may modify or cast doubt upon the interpretation of the evidence provided.
- 8.7 In any publication, members accurately acknowledge sources of information and ideas, and give appropriate credit to contributions made by individuals and organisations.
- 8.8 Members are expected to take reasonable steps to correct any misleading or incorrect reports related to their work, and do not make excessive or exaggerated claims for their research findings or professional activities.
- 8.9 Unless they have been properly authorised in advance, members do not assert or imply that personal statements made by them are made on behalf of other members, social workers, ANZASW, or other organisations