



Standards of Practice, 2022

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Introduction

The Standards of Practice of the Nova Scotia College of Social Workers (NSCSW) describes the responsibilities of Social Workers to their clients, colleagues, employers and society as a whole. This document was achieved through a process of consultation with NSCSW members which provided every member with the opportunity for input.

The Standards of Practice perform several functions:

1. Establish professional expectations as the basis of responsibility for Social Workers so that they may develop, control, evaluate and improve their own practice.
2. Promote the protection of the public, and specifically, of clients of Social Workers, by ensuring competent social work practice.
3. Provide a basis for professional development and continuing education within the social work profession.
4. Put into action the values, ethics, knowledge and skills expected of social work professionals, so that other professionals, employees, clients and the general public may understand the goals and methods of social work practice in Nova Scotia.
5. Enhance the value and credibility of the profession so that it may more effectively advocate for social change when deemed necessary.

Adopted from the NSCSW Standards of Practice, amended 2002

The language of the Standards of Practice is mandatory. The use of the word “shall” in these standards reinforces the accountability of Social Workers to adhere to these standards in their practice. A violation of these standards is grounds for a complaint and possible disciplinary action.

The Standards of Practice apply to all Registered Social Workers, including provisional (RSW) and Social Worker Candidates (SWC). The use of the term Social Worker within these standards includes all categories listed above.

Definition of Practice

(Section 5(2) Social Workers Act)

“For the purpose of this Act, the practice of social work is the assessment, remediation and prevention of social problems and the enhancement of social functioning of individuals, families, groups and communities by means of:

- (a) the provision of direct counselling services within an established relationship between a Social Worker and a client;
- (b) the development, promotion and delivery of human-service programs; or
- (c) the development and promotion of social policies aimed at improving social conditions and promoting social equality, including that done in collaboration with communities,

and which requires the application of specialized knowledge, values and skills in the field of social work.”

What is it?

Assessment, remediation and prevention of social problems

What does it do?

Enhances social functioning of:

- Individuals
- Families
- Groups and Communities

What methods are used?

Direct Counselling

Development, Promotion and Delivery of Human Service Programs

Social Policy Development and Promotion

What expertise is used?

Social Work:

- Knowledge
- Values
- Skills

Standard 1: Confidentiality, Self-determination & Informed Consent

1.1 Confidentiality

- 1.1.1. At the earliest appropriate opportunity in their relationship, and throughout the relationship as required, Social Workers shall discuss with clients the nature of confidentiality and limitations of clients' rights to confidentiality, and shall review with clients when disclosure of confidential information may be legally or ethically required.¹
- 1.1.2. Recognizing the cultural diversity that exists in Nova Scotian communities, Social Workers shall consult with clients about how they wish confidentiality to apply within their community.
- 1.1.3. Social Workers providing service to multiple clients such as couples, families, groups and communities shall notify the participants of the likelihood that aspects of their private lives may be revealed in the course of their work together, and therefore require a commitment from each member to respect the confidential nature of the communication between and among members of the client group.
- 1.1.4. Social Workers shall inform participants in family, couples, or group counselling that confidentiality cannot be guaranteed.²
- 1.1.5. When Social Workers provide services to children, they shall outline for the child and the child's parents/guardian, as appropriate, their practices with respect to the confidentiality of working with children as may be determined by policy and legislation.³
- 1.1.6. Social Workers shall avoid unnecessary conversations regarding clients and shall not discuss confidential information in any public location.
- 1.1.7. Social Workers shall take reasonable 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.
- 1.1.8. Social Workers shall not disclose identifying information when discussing clients for the purposes of teaching, public education or research, except with the informed consent of the client.
- 1.1.9. Social Workers shall respect client confidentiality in discussions within the workplace, with external consultants or with community service providers in times of crisis.⁴

¹ 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.

² This should be declared prior to the first session with a child. (See Section 1.2.2. of this document). For the purposes of these standards, a child of tender years would usually be determined to be a child under the age of seven years, subject to a determination by a Social Worker considering the child's social, physical, intellectual, emotional or psychological development.

³ Social Workers may wish to reserve the right to disclose to parent/guardian some information provided by a young child when such disclosure is in the best interest of the child

⁴ If the agency 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.



- 1.1.10. Social Workers who work as a supervisor, manager or administrator shall work to establish policies and practices that protect the confidentiality of client information.⁵
- 1.1.11. Social Workers shall protect the confidentiality of deceased clients consistent with the preceding responsibilities.
- 1.1.12. Social Workers shall address breaches of confidentiality, should they occur, with due regard to the values and principles of the social work Code of Ethics, the standards of their employer and relevant regulatory requirements.
- 1.1.13. Social Workers shall disclose pertinent information acquired from a client to the person at risk, if feasible, or a police officer or other appropriate authorities. (See footnotes 1, 3 and 5)
- 1.1.14. Social Workers shall release confidential information as part of a discipline hearing of a Social Worker as directed by the tribunal or disciplinary body.
- 1.1.15. When disclosure is required by order of a court, Social Workers shall not divulge more information than is required and shall, when possible, notify the client of this requirement.

1.2 Self-determination & Informed Consent

- 1.2.1. Social Workers shall respect the self-determination and autonomy of clients, actively encouraging them to make informed decisions on their own behalf to the extent possible and given the situation.
- 1.2.2. Social Workers shall be aware of a client's capacity to give informed consent as early in the relationship as possible.
- 1.2.3. At the earliest opportunity, Social Workers, using their professional judgment shall discuss with clients their rights and responsibilities and provide them with honest and accurate information regarding the nature of the service being offered. This could include the following information:
 - The required registration of Social Workers under the Social Workers Act
 - Upon request, be given a copy of the Code of Ethics and the Standards of Practice.
 - Information about the cost of professional services before receiving them.
 - Freedom from discrimination while receiving services.
 - The recording of information and who will have access to that information.
 - The purpose, nature, extent and known implications of the options open to them.
 - The right of the client to obtain a second opinion, to refuse or to cease service subject to the limitations that may apply when working with involuntary clients. (See Section 1.4 of this document)
 - The client's right to view their personal and professional records and to seek avenues of complaint as provided by law and policy.

⁵ Social Workers may disclose confidential information to other persons in the workplace who, by virtue of their responsibilities have an identified need to know as determined by the Social Worker.

- The limitations to professional confidentiality. (See Section 1.1 of this document)
 - A Social Worker receiving supervision shall inform the client that the Social Worker may be reviewing the client's case with the Social Worker's supervisor or consultant. Upon request, the Social Worker shall provide the name of the supervisor and the supervisor's contact information.
- 1.2.4. Social Workers shall provide services to clients only with valid informed consent or when required to by legislation or court order (See Section 2.3 and Section 2.4 of this document).
- 1.2.5. Social Workers shall obtain clients' informed consent before audiotaping or videotaping clients or permitting observation of services to clients by a third party.
- 1.2.6. When information is required from other sources, a Social Worker shall make a reasonable effort to explain this to the client, decide with the client what other sources are to be used and seek agreement and written consent for obtaining the needed information.
- 1.2.7. When information is required by law, a Social Worker shall help the client understand potential consequences, if any, of refusing to provide the required information.

Standard 2: Clients

2.1. Identification of Registration

2.1.1. Social Workers shall identify themselves to clients as a Social Worker. When asked, a Social Worker shall provide to the client an NSCSW membership card or a certificate of registration on a timely basis.

2.2. Priority of Clients' Interests

2.2.1. Social Workers shall maintain the best interests of clients as the primary professional obligation.⁶

2.2.2. Social Workers shall not discriminate against any person on the basis of age, ability, ethnic background, gender, language, marital status, national ancestry, geographical location, political affiliation, race, religion, sexual orientation or socio-economic status.

2.2.3. 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.

2.2.4. When collaborating with other professionals and service providers in the interests of clients, Social Workers do so with the client's knowledge and consent and involve clients (or legally mandated client representatives when clients are not capable of giving consent) in such consultations as appropriate (See Section 2.3 of this document).

2.2.5. Social Workers shall limit their involvement in the personal affairs of clients to matters related to services being provided.

2.2.6. 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. (See Section 1.2 of this document)

2.2.7. When possible, Social Workers shall provide or secure social work services in the language chosen by the client. If using an interpreter, Social Workers preferably secure an independent and qualified professional interpreter

2.2.8. A Social Worker shall provide a professional opinion about a client only when it is based on sufficient and substantial information about the client which may include documented interaction, assessment, observation and consultation.

2.3. Responsibilities to Involuntary Clients⁷

2.3.1. Any action that violates or diminishes the civil or legal rights of clients shall only be taken after careful evaluation of the situation (See Section 2.4 of this document).

⁶ In exceptional circumstances, the priority of clients' interests may be outweighed by the interest of others or by legal requirements or conditions. In such situations, clients are made aware of the obligations the Social Worker faces with respect to the interests of others, unless such disclosure could result in harm to others. For example, Social Workers are mandated to report instances of child abuse and elder abuse.

⁷ Social Workers recognize that, in some cases, their ability to promote self-determination is limited by client's actions which may pose a serious threat to themselves or others or who are involuntary clients (have not freely chosen social work intervention). Caution must be taken when working

- 2.3.2.** When a Social Worker is court ordered, or agrees to conduct a legally mandated assessment, the Social Worker's primary obligation shall be to the judge or designate. The Social Worker shall also continue to have professional obligations toward the person being assessed with respect to dignity, openness regarding limits to confidentiality and professional competence.
- 2.3.3.** In all cases, where the client's right to self-determination is limited by duty of care (e.g. client intent to self-harm), the law (e.g. child abuse,) or court order, Social Workers shall assist clients to negotiate and attain as much self-determination as possible. In particular, involuntary clients shall be made aware of any limitations that apply to their right to refuse services and are advised how information will be shared with other parties.⁸
- 2.3.4.** Social Workers, wherever possible, shall notify clients regarding decisions made about them except where there is evidence that this information may bring about, or exacerbate, serious harm to individuals or the public.
- 2.4. Protection of Vulnerable Members of Society**
- 2.4.1.** Social Workers who have reason to believe a child, elder or other vulnerable person is being harmed and is in need of protection shall report their concerns to the proper authorities as required by legislation.
- 2.4.2.** 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 feasible, and the police. (See footnotes 7 and 8)
- 2.4.3.** Social Workers who have reason to believe that a client intends self-inflicted harm shall take appropriate action consistent with legislation, standards of practice, workplace policies.
- 2.5. Practices for Termination of Services and Continuity of Care**
- 2.5.1.** Social Workers shall continue to provide the opportunity for a client to receive professional services from the Social Worker until:
- Service goals have been met.
 - It is reasonably clear to the Social Worker or to the client that professional services are not achieving the agreed upon purpose.
 - Professional services are no longer required.
 - The client has had a reasonable opportunity to arrange to receive professional services from another Social Worker or suitable professional.
 - A conflictual dual/multiple role relationship exists or arises.
 - The contracted service period has ended.
 - The client is transferred to another Social Worker.

with clients to ensure that the assessment process is transparent and that the recommendations of assessment are based on what is in the best interest of the client.

⁸ 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.



- The Social Worker leaves the place of employment.
- A client chooses not to continue the service.

2.5.2. Social Workers who anticipate the termination of services shall give reasonable notice to the client.

2.5.3. Social Workers shall provide referrals as needed or upon the request of the client.

2.5.4. Social Workers shall not terminate a professional relationship for the purpose of entering into a personal or business relationship with a client.

2.6. **Continuity of Service**

2.6.1. Social Workers shall make arrangements for another Social Worker or suitable professional to deal with emergency needs of clients during periods of reasonably foreseeable absence by the Social Worker.

2.6.2. Social Workers shall make reasonable efforts to refer a client to another professional, technical or administrative service when a referral is clearly in the best interest of the client.

2.6.3. Social Workers shall make a reasonable effort to appropriately refer a client when requested to do so by the client.

2.6.4. Social Workers shall not make or accept any payment or service in exchange for making or receiving a referral

2.6.5. Social Workers shall not refer clients to another professional for a fee, non-monetary reward or any other personal benefit.

2.6.6. Social Workers shall make reasonable efforts to collaborate with other professional services for a client, as appropriate, if the Social Worker knows that the client is receiving said services.



Standard 3: Professional Relationships

3.1. Responsibilities in Professional Relationships

- 3.1.1. Social Workers shall establish the nature of their professional relationship with clients, and shall ensure that the relationship serves the needs of clients over the needs of the Social Worker.
- 3.1.2. In establishing a professional relationship, Social Workers shall take into account relevant contextual issues, while ensuring that the dignity, individuality, and rights of all persons are protected.

3.2. Professional Boundaries

- 3.2.1. In establishing a relationship with appropriate professional boundaries, the Social Worker shall:
- Acknowledge the place of power they holds in all professional relationships, with the potential for harm to others should that power be misused.⁹
 - Take care to not abuse the power inherent in the professional relationship.
 - Develop the professional relationship with voluntary and involuntary clients based upon the principles of mutuality, respect, client motivation, capacity and opportunities for change at all times, and use this knowledge appropriately to facilitate the attainment of intended outcomes.¹⁰

3.3. Avoiding Exploitation for Personal or Professional Gain

- 3.3.2. Social Workers shall not:
- Exploit professional relationships for personal gain or gratification.
 - Take unfair advantage of any professional relationship or exploit others to further their personal, religious, political or business interests.
 - Have a business relationship with a client, borrow money from a client, loan money to a client or accept monetary gifts in any form from a client ¹¹

⁹ Social Workers shall take care not to impose their own advocacy agenda upon individual clients

¹⁰ This means that the helping process when feasible will involve shared control between the client and the Social Worker toward the achievement of agreed to or acknowledged goals or outcomes. In the case of the involuntary client, mutual agreements may not exist at the outset of the relationship, but a Social Worker's reasonable adherence to this principle is expected.

¹¹ Business relationships do not include purchases made by the Social Worker from the client when the client is providing necessary goods and services to the general public, and the Social Worker determines that it is not possible or reasonable to obtain the necessary goods from another provider.

Social Workers may engage in a business relationship with a former client if the former client was notified of the termination of the professional relationship. The Social Worker shall continue to consider the best interest of the client and shall not engage in a business relationship with a former client if a reasonable Social Worker would conclude that the former client continues to relate to the Social Worker in the Social Worker's professional capacity.

A dual/multiple role relationship does not excuse a Social Worker from providing professional services to a client in an emergency situation such as family violence or child/ adult protection.



- Have a sexual relationship with an organizational colleague where the consequences of such could have adverse effects on a client or working relationship.

3.3.3. Social workers shall ensure that organizational policies related to workplace relationships are followed.

3.4. Declare Conflicts of Interest

3.4.1. Social workers shall:

- When providing services to two or more people who have a relationship with each other (e.g. couple, family members) clarify with all parties which individuals will be considered clients and also the nature of the professional relationship with other involved parties.
- Clarify with clients the Social Worker's role and responsibilities when they anticipate a conflict of interest among individuals receiving services. (e.g. when a Social Worker is asked to testify in a child custody or divorce proceeding involving clients).
- In situations where professional responsibilities to an employer and to a client are in conflict, attempt to safeguard client rights and promote changes by bringing the situation to the attention of the employer and attempting to facilitate a satisfactory resolution of the conflict.
- When a conflict of interest cannot be satisfactorily resolved:
 - Cease acting for the client or,
 - If the nature of the service is such that the Social Worker cannot cease acting for the client, document the conflict of interest and all measures taken to resolve or manage the conflict.
- Advise their employer(s) or organization(s) of any potential conflicts of interest if the Social Worker intends to provide or provides professional social work services through more than one employer or one organization, including private practice settings.

3.5. Dual and Multiple Relationships

3.5.1. Social Workers shall not engage in dual relationships with clients that compromise the well-being of the client, impair the objectivity and professional judgment of the Social Worker or increase the risk of client exploitation.¹²

3.5.2. 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.

3.5.3. If a Social Worker has a present or previous familial, social/personal, sexual, emotional, financial, supervisory, administrative or legal relationship with a potential client, the Social

¹² Dual or multiple relationships occur when Social Workers relate to clients in more than one relationship, whether professional, social or business. Dual or multiple relationships can occur simultaneously or consecutively. While having contact with clients in different life situations is not inherently harmful, it is the responsibility of the Social Worker to evaluate the nature of the various contacts to determine whether the Social Worker is in a position of power and/or authority that may unduly and/or negatively affect the decisions and actions of their client.



Worker shall assess the potential for harm before establishing a professional relationship with that client.¹³

- 3.5.4.** Social Workers shall ensure that the difference between professional and personal relationships with clients is explicitly understood and respected.
- 3.5.5.** If a dual/multiple role relationship develops or is discovered after the professional relationship has been initiated, a Social Worker shall:
- Inform the client of the possible or actual dual/multiple relationships and the possible consequences.
 - Inform the client that the Social Worker, as an employee, shall consult with the workplace supervisor regarding this matter.¹⁴
- 3.5.6.** Social Workers shall document all actions taken and the client's response in the client's record.
- 3.5.7.** Social Workers who find themselves in a dual/multiple role relationship may continue the professional relationship when unique attributes, specialized skills or services are required and not otherwise available. The Social Workers shall:
- Inform the client of any possible or actual dual/multiple role relationship and its possible consequences.
 - Include a description of the dual/multiple role relationship in the client's record along with a record of the discussion of the relationship with the client.
 - Consult with another Social Worker regarding the dual/multiple role relationship and subsequent provision of professional services to the client and include the contents of the consultation in the client's record.
- 3.5.8.** In all cases when a dual/multiple role relationship exists, the Social Worker is solely responsible for ensuring that appropriate professional boundaries are maintained and that the nature of the client-Social Worker relationship is protected. If after careful review, it is

¹³ A Social Worker may engage in a professional relationship with an individual with whom the Social Worker had a personal or business relationship only if a reasonable Social Worker would conclude that the Social Worker's objectivity and personal judgment will not be impaired by reason of the previous personal or business relationship.

Business relationships do not include purchases made by the Social Worker from the client when the client is providing necessary goods and services to the general public, and the Social Worker determines that it is not possible or reasonable to obtain the necessary goods from another provider.

A Social Worker may engage in a business relationship with a former client if the former client was notified of the termination of the professional relationship. The Social Worker shall continue to consider the best interest of the client and shall not engage in a business relationship with a former client if a reasonable Social Worker would conclude that the former client continues to relate to the Social Worker in the Social Worker's professional capacity.

¹⁴ If, after consulting with a workplace supervisor and/or another Social Worker when no workplace supervisor exists, the Social Worker decides to continue to provide professional services to a client with whom the Social Worker has a dual relationship as defined in standards 2.5.1 and 2.5.2, the Social Worker carries the burden of justifying the continuation of services.

If the workplace supervisor is not a Social Worker, the Social Worker is encouraged to seek additional consultation from another Social Worker. The Social Worker is advised to document these discussions and the reasons for continuing to provide professional services.



determined that it is not possible to ensure appropriate professional boundaries and the protection of the client, then the professional relationship shall be terminated and the reasons for the termination explained to the client and documented in the record. Following termination of the relationship, the Social Worker shall assist the client in obtaining professional services from another Social Worker or another professional.

- 3.5.9.** In rural or remote communities, or where a Social Worker's personal circumstances lead them to be in regular contact with clients outside the practice setting, a Social Worker will take reasonable measures to discuss with all clients how accidental or unavoidable contacts will be managed to protect the client's interests.

3.6. Physical Contact with Clients

- 3.6.1.** 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.
- 3.6.2.** Social Workers who engage in appropriate physical contact with clients are responsible for setting clear, appropriate and culturally sensitive boundaries to govern such contact.

3.7. No Romantic or Sexual Relationships with Clients

- 3.7.1.** Social Workers shall not, under any circumstances, engage in, or request sexual contact with a client as defined in the definitions.¹⁵
- 3.7.2.** Social Workers shall not engage in verbal or physical behaviour with a client that a reasonable person would find to be sexually seductive or demeaning.
- 3.7.3.** Social Workers who have provided clinical social work services to a client shall not engage in or request sexual contact, as defined in definitions, with the former client under any circumstances.
- 3.7.4.** Social Workers who have provided other social work services to a client shall not engage in or request sexual contact as defined in definitions with the former client at any time if a reasonable Social Worker would determine that engaging in sexual contact with the client would be exploitative, abusive or detrimental to the client's welfare. It is the responsibility of the Social Worker to assume the full burden of demonstrating that the former client has not been exploited or abused either intentionally or unintentionally.
- 3.7.5.** Social Workers shall not provide services to individuals with whom they have had a prior relationship of a sexual nature.
- 3.7.6.** Social Workers shall not engage in sexual activities with clients' relatives or other individuals with whom clients maintain a close personal relationship when there is a risk of exploitation or

¹⁵ Sexual contact includes but is not limited to sexual intercourse, either genital or anal, cunnilingus, fellatio, or the handling of the breast, genital areas, buttocks, or thighs, whether clothed or unclothed, by either the Social Worker or the client.

Kissing and hugging have not been included in the definitions of sexual contact due to wide variation in context and acceptability. It would be extremely difficult to establish a definite set of circumstances under which a hug becomes an element of sexual contact. For example, school Social Workers, hospital Social Workers, and Social Workers who work with children often employ supportive hugs in their relationship with clients. It would be counterproductive to effective practice to place a blanket ban on this kind of benign physical contact.

potential harm to the client or when such activities would compromise the appropriate professional boundaries between the member and the client.

3.8. Sexual Misconduct

- 3.8.1.** Sexual misconduct¹⁶ by a Social Worker toward a client¹⁷ violates professional boundaries and constitutes professional misconduct and/or conduct unbecoming.
- 3.8.2.** Sexual misconduct represents a profound breach of trust on behalf of the Social Worker involved. The blurring of professional and personal boundaries often results in devastating consequences to the client. Within the professional relationship, the client is always considered to be the vulnerable party. The onus is on the Social Worker to maintain professional boundaries with a client and not to exploit a client in any way. Consent is never a defence to sexual misconduct.
- 3.8.3.** A Social Worker must not engage in sexual misconduct.

¹⁶ Sexual misconduct includes any sexualized conduct engaged in by a social worker with a current client or vulnerable former client. See glossary for more detailed definition of sexualized conduct, sexual misconduct, and sexual abuse.

¹⁷ For the purposes of these sexual misconduct standards, “client” refers to current, former, and vulnerable former clients (see subsequent footnotes) and also includes a parent, guardian, spouse, partner, child, or any substitute decision maker of the individual receiving social work services. Unless stated otherwise it also includes a student being supervised by a Registered Social Worker, or a Social Worker Candidate being mentored by a Registered Social Worker.

3.8.4. A Social Worker must maintain therapeutic and professional boundaries with a current¹⁸, former¹⁹ or vulnerable²⁰ former client.

¹⁸ A person becomes a “current client” when a social worker-client relationship is formed and is ongoing. To determine whether a social worker-client relationship exists, consider the following factors:

- whether the social worker has provided social work services to the client;
- whether the social worker has charged or received payment from the individual (or a third party on behalf of the individual) for social work services provided by the social worker;
- whether the social worker has contributed to a social work record or file for the individual;
- whether the individual has consented to social work service provided by the social worker; and/or
- other factors relevant to the circumstances of the individual and the social worker.

A social worker -client relationship may exist where one of the above factors is met or when a combination of factors is met.

A client may no longer be considered a current client if care was provided in an episodic setting. *Example*

- One brief intervention service
- A one-time referral to a service
- A one-time visit in collaborative care practice or urgent care setting

If the current client is an intimate/romantic partner or spouse of the social worker, that person is not considered a current client for the purposes of the sexual misconduct policy. However, social workers shall refrain from providing any social work services to such persons.

¹⁹ A person ceases to be a current client and becomes a “former client” when the social worker-client relationship ends in accordance with the College’s Standards of Practice.

Social workers considering engaging in any sexual behaviour with a former client shall consider the following:

- ongoing risk to the former client;
- risk of a continuing power imbalance;
- length of time that has passed since the last clinical/professional encounter;
- nature of the social work services provided:
 - type, intensity, and duration of the services;
 - likelihood of the former client requiring service from the social worker in the future;
 - extent of the personal health information accessible by the social worker;
 - vulnerability of the client;
 - maturity of the client; and
 - client’s decision-making ability

A minimum of two years of time must pass to lessen the vulnerability. The exact length of time has not been defined as it may vary based on factors relevant to each former client’s circumstances.

²⁰ A “vulnerable former client” is a client who is no longer a current client, but who requires particular protection from sexual misconduct for reasons of ongoing vulnerability. For some former clients, their degree of vulnerability is such that they will always be considered vulnerable former clients. This includes clients to whom a social worker has provided therapy and sex therapy. For clarity, sexual relations between a social worker and clients to whom social worker provided therapy and/or sexual therapy is prohibited at any time following termination of the professional relationship.

To determine whether a former client is a vulnerable former client (other than those provided with therapy and/or sex therapy) consideration should be given to:

- the length and intensity of the former professional relationship;
- the nature of the former client’s problem or issue;
- the type of social work services provided by the social worker;
- the extent to which the former client has confided personal or private information to the social worker;
- the vulnerability of the former client during the social worker-client relationship; and
- other factors relevant to the particular circumstances.

Generally, the lengthier the social worker-client relationship and the greater the dependency, the more likely the person will be found to be a vulnerable former client by those adjudicating an allegation of sexual misconduct.

Engaging in, initiating, or requesting sexualized conduct **at any time** with a vulnerable former client is sexual misconduct.



- 3.8.5.** A Social Worker must always obtain informed consent prior to engaging in clinically relevant discussions of a sexual or intimate nature.
- 3.8.6.** A Social Worker must be aware of the impact of transference²¹ and counter-transference²² particularly around discussion of a sexual and intimate nature. The Social Worker is always responsible for maintaining appropriate professional boundaries and proper documentation of steps taken to maintain professional boundaries.
- 3.8.7.** A Social Worker must not engage in any form of sexual behaviour, conduct, or activity with a current client or vulnerable former client.
- 3.8.8.** A Social Worker must not engage in any form of sexual behaviour, conduct, or activity with any individual with whom a current client has an interdependent relationship (e.g. parent, guardian, child, spouse, partner, or substitute decision maker).
- 3.8.9.** A Social Worker must not communicate with and/or solicit a current or vulnerable former client through any means (including in person, in writing, or electronically) for the purpose of:
- entering in a dating, sexual, intimate, or romantic relationship; or
 - engaging in sexual behaviour, conduct, or activity.
- 3.8.10.** A Social Worker must not use any personal or health information obtained in the context of the social worker-client relationship for the purpose of pursuing:
- a dating, sexual, intimate, or romantic relationship,
 - a sexual encounter.
 - not engage in any form of sexual behaviour, conduct, or activity with a former client for at least a minimum of 2 years, and after 2 years the Social Worker must determine after careful review of the former client's circumstances that it is appropriate (see vulnerable client).
 - shall not terminate the social worker-client relationship for the purposes of entering into a personal or sexual relationship with a client.
- 3.9. Reporting Sexual Misconduct**
- 3.9.1.** A Social Worker must report to the College when they have reasonable grounds to suspect that the conduct of a Social Worker constitutes sexual misconduct.
- 3.9.2.** A Social Worker must report to the appropriate regulatory body when they have reasonable grounds to suspect that the conduct of another regulated health professional constitutes sexual misconduct.

Where a social worker is in doubt as to a former client's vulnerability, or whether the social worker-client relationship has been properly terminated, they may wish to seek advice from the College.

²¹ **Transference** is the shift of emotions from one person to another.

²² **Countertransference** is defined as redirection of a social workers' feelings toward a client



Standard 4: Colleagues & Workplace

4.1. Respect

- 4.1.1. 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.
- 4.1.2. Social Workers shall not intervene in the professional relationship of a Social Worker and client unless requested to do so by the client.

4.2. Collaboration and Consultation

- 4.2.1. Social Workers shall seek the advice and counsel of social work colleagues and colleagues from other disciplines whenever such consultation is in the best interest of clients.²³
- 4.2.2. Social Workers shall take responsibility and credit, including authorship credit only for work they have actually performed and to which they have contributed, and shall honestly acknowledge the work and the contributions made by others.

4.3. Management of Disputes

- 4.3.1. Social Workers who have concerns about the actions of a colleague shall attempt to resolve the matter through appropriate channels as established by their employer. If the matter cannot be resolved, Social Workers shall pursue other avenues to address their concerns consistent with client well-being, ethical principles and obligations outlined by their regulatory body.
- 4.3.2. When a conflict arises between a Social Worker and a colleague or other professionals, the Social Worker shall attempt to resolve the professional differences in ways that uphold the principles of the Code of Ethics and the Standards of Practice.

4.4. Responsibilities in Supervision & Consultation

- 4.4.1. Social Workers who supervise or consult shall do so only within their areas of knowledge and competence.
- 4.4.2. Social Workers who supervise or consult shall establish clear relationship boundaries and clarify the nature and scope of the work to be done during the supervision/consultation.
- 4.4.3. Social work supervisors shall not engage in any dual relationships with supervisees when there is a risk of exploitation of or potential harm to the supervisee. It is the responsibility of the supervisor to demonstrate that any dual or multiple relationship is not exploitative or harmful to the supervisee(s).
- 4.4.4. Social Workers shall evaluate supervisees' performance in a manner that is fair and respectful, and consistent with terms and conditions of the place of employment.

²³ 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.

- 4.4.5. Supervisors of Social Worker Candidates shall adhere to the requirements of the Nova College of Social Workers Regulations as they relate to candidacy.
- 4.4.6. Social Workers who have the responsibility for evaluating the performance of employees, Social Worker Candidates, supervisees or students shall share the evaluations with them and seek feedback from them with the goal of improving supervision.
- 4.4.7. Social Workers who are responsible for the administration and supervision of personnel shall make reasonable efforts to promote written policies and procedures to protect the confidentiality of personnel records.
- 4.4.8. Social Workers who provide practice/clinical supervision in a workplace setting shall be responsible and accountable for the services provided by a student or supervisee.
- 4.5. Responsibilities to Students**
- 4.5.1. Social Workers who are educators and field instructors shall provide instruction only in relation to their areas of knowledge and competence.
- 4.5.2. Social Workers shall foster in social work students, knowledge and understanding of the social work profession, the Code of Ethics, the Standards of Practice and other appropriate sources of ethical practice.²⁴
- 4.5.3. Social work supervisors shall instruct students to inform clients of their student status.
- 4.5.4. Social work supervisors shall inform students of their ethical responsibilities to clients, supervisors and employers.
- 4.5.5. Social Workers shall adhere to the principles of privacy and confidentiality in the supervisory relationship, ensuring that their supervisees clearly understand possible limitations to these principles.
- 4.5.6. Social work supervisors shall recognize that their role in supervising students is intended to be educational and work-focused. In the event that a student requests or requires counselling, the instructor refers the student to another competent practitioner.
- 4.5.7. Social work supervisors shall evaluate a student's performance in a manner that is fair, respectful, and consistent with the terms and conditions of the student's educational institution.
- 4.5.8. Social Workers shall not engage in any dual or multiple relationships with students who they are currently supervising or teaching if there is a risk of exploitation or potential harm to the student.²⁵

²⁴ Social Workers are encouraged to be aware of codes of ethics and standards of practice of students from other disciplines if they are asked to supervise such students.

²⁵ Social work educators and field instructors are responsible for setting clear, appropriate and culturally sensitive boundaries in their relationships with students.



4.6. Professional Practice

- 4.6.1. Social Workers shall be accountable for their practice and shall work toward standards of service provision that reflect social work values in the workplace.
- 4.6.2. Social Workers shall use the employer's resources honestly and only for their intended purpose.
- 4.6.3. Social Workers shall work to support policies, procedures, practices and service provisions that are in the best interests of clients, equitable, empowering, culturally appropriate and supportive of human rights, and respectful of diversity.
- 4.6.4. When, in the opinion of the Social Worker, the responsibilities to an employer are in conflict with the Social Workers' obligations to the client, the Social Worker shall document the issue in writing.²⁶

4.7. Labour/Management Disputes

- 4.7.1. Social Workers shall carefully examine relevant issues and their possible impact on clients before engaging in organized action to improve services to clients and professional working conditions.²⁷

4.8. Responsibilities of Managers

- 4.8.1. Social Workers with management responsibilities shall inform organizational administrators of the ethical responsibilities of Social Workers and work to create work places that support ethical practice.²⁸
- 4.8.2. Social Workers with management responsibilities shall facilitate access for staff under their direction to professional education and advocate for adequate resources to meet staff development needs.
- 4.8.3. Social Workers with management responsibilities shall provide for, or arrange for, appropriate debriefing and professional support for staff when they experience difficult or traumatic circumstances.
- 4.8.4. Social Workers with management responsibilities shall refrain from exercising undue influence on Social Workers employed in more than one workplace to disclose information regarding another work site.

²⁶ Social Workers strive to acknowledge and to carry out the stated aims and objectives of their employing organization, agency or service contractor, consistent with the requirement of ethical social work practice.

²⁷ The actions of Social Workers who are involved in labour management disputes, job actions or labour strikes are guided by the profession's values and principles. Reasonable differences of opinion exist among Social Workers concerning their primary obligation as professionals during an actual or threatened labour strike or job action period.

²⁸ A workplace that supports ethical practice includes:

- a) Obtaining and maintaining adequate staff levels and acceptable working conditions.
- b) Promoting effective teamwork and communication and an efficient and accountable social work service.
- c) Facilitating access to social work supervision for professional social work practice and professional consultation where necessary.

4.9. Accountability in the Workplace

- 4.9.1.** Social Workers shall be accountable and responsible to the employer for the efficient performance of their duties.
- 4.9.2.** Social Workers who provide or intend to provide professional social work services through more than one agency or organization, including private practice settings, shall fully disclose all intentions and activities to each employer.²⁹

²⁹ For example, many Social Workers work in more than one workplace and should not be placed in a position where they would have to disclose confidential information from one workplace to another.

Standard 5: Cultural Diversity

As a profession, Social Work acknowledges that the term cultural implies integrated patterns of diverse and unique human behaviour including attitudes, thoughts, communications, actions, traditions, customs, beliefs and values. Culture also encompasses diversity on the basis of race, ethnicity, religion, (dis)ability, sexual orientation, sexual identity, gender identity, age and generational differences.

Social Work philosophy and practice promotes the development of a just and equitable society where persons and groups are not discriminated based on their social origin. In view of this goal, Social Workers must commit to enhancing their beliefs and understanding through practices that challenge any form of discriminatory and oppressive practice.

5.1. Practice

- 5.1.1. Social Workers shall conduct their practice with sensitivity and understanding of their client's diverse, cultural needs.
- 5.1.2. Social Workers shall use a collaborative approach, when appropriate, to assist the client to access culturally appropriate services and resources.
- 5.1.3. Social Workers shall continuously engage in reflection and self-assessment in order to critically examine how their own beliefs, attitudes and practices may reinforce power dynamics and impact helping relationships with people of diverse cultural needs.
- 5.1.4. Social Workers shall be concerned with identifying and addressing issues of power imbalance as they occur within the social, economic, political, cultural and ethnic contexts of the client's environment, respecting principles of individual human rights and freedoms.
- 5.1.5. Social Workers have the responsibility to allow clients to define their personal cultural identity which in turn, allows them to include or not include factors they feel are important to them. In doing so, Social Workers recognize the importance of the diverse cultural needs and to assist the client in identifying and assessing those needs through appropriate interventions.

5.2. Knowledge

- 5.2.1. Social Workers are responsible for developing ongoing knowledge and understanding of diverse, culturally relevant issues. This may be done through independent research, participation in professionally appropriate cultural and ethnic activities, courses and workshops, and through collaboration and consultation with persons and/or groups who are knowledgeable in this area.

Standard 6: Social Justice

6.1. Social Workers Promote Social Justice

- 6.1.1. Social Workers shall advocate for social change in the best interest of the client and for the overall benefit of society, the environment, and the global community.
- 6.1.2. Social Workers shall promote fair and equitable access to services by engaging in efforts that seek to ensure that all persons have fair access to the resources, services and opportunities they require to meet their basic human needs.
- 6.1.3. Social Workers shall advocate for equitable social, economic, political and cultural policy and legislation.
- 6.1.4. Social Workers shall promote choice and opportunity for all persons, with special regard for those who are marginalized, vulnerable, disadvantaged, oppressed and exploited.
- 6.1.5. Social Workers shall advocate for the equitable distribution of society's resources to all persons. They shall bring situations where resources are inadequate or where distribution of resources, policies and practices are oppressive, unfair or harmful to the attention of persons and/or organizations who they can work with or refer issues to, to make a difference (i.e. client, coworkers, employers, policy makers, politicians, and the general public).
- 6.1.6. Social Workers shall strive to identify and reflect upon injustice, while advocating for the prevention and elimination of systemic oppression, domination, exploitation and discrimination.
- 6.1.7. Social Workers shall recognize, respect and promote awareness of the diversity of people.



Standard 7: Private Practice

In addition to the general provisions of the Code of Ethics and Standards of Practice, Social Workers in private practice are guided by the following specific ethical responsibilities.

7.1. Insurance Requirements

7.1.1. Social Workers in private practice shall maintain adequate malpractice and liability insurance.

7.2. Avoid and Declare Conflicts of Interest

7.2.1. Social Workers shall not solicit clients for their private practice from their colleagues or place of work unless they do it in accordance with established place of work guidelines regarding such referrals.³⁰

7.2.2. Social Workers shall neither accept nor give a commission, rebate, fee split or other form of remuneration for the referral of a client.

7.3. Responsible Fee Practices

7.3.1. Social Workers who enter into a fee for service contract with a client shall:

- 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.
- Record the payment in the client's file and provide the amount in writing to the client, the client's legal guardian, or other authorized representative.
- Charge only for the reasonable hours of client services, research,
- consultation and administrative work on behalf of a given client.³¹

7.3.2. Social Workers shall not accept goods or services from the client or a third party in exchange for the Social Worker's services, except when such arrangement is initiated by the client and is accepted practice in the Social Worker's community or within the client's culture. It is the responsibility of the Social Worker to assume the full burden of demonstrating that this arrangement will not be detrimental or exploitative to the client or the professional relationship.

7.4. Termination & Continuity of Care

7.4.1. Social Workers in private practice shall adhere to the standards contained in 2.5 (Practices for Termination of Services and Continuity of Care) and 1.1 (Confidentiality).³²

³⁰ For example, in hard to serve areas employers may need employees who also have a private practice to provide follow up services.

³¹ Social Workers bill only for services which have been provided and services which are necessary. A Social Worker in private practice may properly make a social work services available by charging a reduced fee or no fee at all to a client(s) who would have difficulty in paying the fee.

³² It is recognized that Standard 2.5 impacts Social Workers in private practice who contract with EAP or other third party payers in that service contracts may be time limited and may impose a termination to service before the agreed upon goals have been met.

7.5. Private Practice Setting

- 7.5.1. The private practitioner shall arrange the provision of social work services so that confidential information may not be heard or seen by others.³³
- 7.5.2. Social Workers shall choose a practice location being mindful of safety and security.

7.6. Information

- 7.6.1. In addition to Standard 2, Social Workers in private practice shall provide evidence of their status as an approved private practitioner.
- 7.6.2. Social Workers shall be able to provide clients with information on the Code of Ethics, Standards of Practice and the complaints procedure.

7.7. Record Keeping

- 7.7.1. The records are the responsibility of the private practitioner and shall be kept for a reasonable amount of time, being mindful of no limitation on the time for complaints. (See Section 9.3 of this document).
- 7.7.2. Social Workers in private practice shall also adhere Standard 9 of this document.³⁴

7.8. Professional Advertising

- 7.8.1. Social Workers in private practice shall adhere to the following guidelines: The business card, pamphlet, website or any other advertising shall include name, professional academics, address, website (if any) and contact numbers such as telephone, fax, and e-mail.

7.9. Supervision

- 7.9.1. Social Workers offering individual or group supervision to other Social Workers in private practice shall themselves:
- Be registered as a private practitioner.
 - Have a minimum of seven years' experience, three of which shall be in the area of practice in which they are offering supervision and three of which shall be in the area of social work supervision, consultation, training, education and/or field instruction.
- 7.9.2. Social Workers in private practice shall adhere to the supervision requirements specified in the NSCSW Regulations.

³³ Examples of guarding confidentiality may include not leaving records out in a home office setting, and having a separate phone line and messaging system.

³⁴ Private practitioners who contract with Employee Assistance Programs (EAP) need to be mindful of the Providers' ethics, their requirements for record keeping or the number of times a client may be seen. Social Workers in private practice should be mindful of the EAP Providers' policy on the retention of records, and access to records should there be a complaint laid against the private practitioner.

Standard 8: Research

8.1. Responsible Research Practices

- 8.2.1. Social Workers who undertake research shall do so for the purpose of advancing human welfare, knowledge and understanding, and examining cultural dynamics.
- 8.2.2. Social Workers shall direct their research towards the alleviation of human suffering, validating social or scientific theories, creating new knowledge, analyzing policy and understanding human behaviour and the evolving human condition.
- 8.2.3. Social Workers shall educate themselves and their students about responsible research practices.
- 8.2.4. Social Workers shall utilize only appropriately qualified personnel to carry out research, paying particular attention to qualifications required in conducting specialized techniques. It may be necessary to provide training.
- 8.2.5. Social Workers shall, when possible, submit research proposals to an appropriate scientific and ethical review prior to implementation of the research.
- 8.2.6. Social Workers shall identify conflicts of interest that may arise from family relationships, financial partnerships or other economic interests that may influence or be perceived to influence the Social Worker's judgment in regard to the research.
- 8.2.7. Social Workers shall avoid the use of deception in research because of its negative implications for client well-being and for public trust in the profession.
- 8.2.8. Social Workers shall recognize the rights and interests of Indigenous Peoples in regard to research, in particular that research involving Indigenous Peoples may also involve the communities and groups to which they belong.³⁵

8.2. Minimize Risks

- 8.2.1. Social Workers shall place the interests of research participants above the Social Workers' personal interests or interests of the research project.
- 8.2.2. Social Workers shall consider carefully the possible consequences for individual and society before participating in or engaging in, proposed research and also when publishing research results.
- 8.2.3. Social Workers shall strive to protect research participants from physical, mental or emotional discomfort, distress, harm or deprivation.

³⁵ Refer to three documents for details:

1. Ethical Guidelines for Research, *Report of the Royal Commission on Aboriginal Peoples*, Volume 5 Appendix E, 1993 (lac.gc.ca/eng/discover/aboriginal-heritage/royal-commission-aboriginal-peoples/Pages/final-report.aspx);
2. Ethical Principles for the Conduct of Research in the North, College of Canadian Universities for Northern Studies, 1982 (acuns.ca/wp-content/uploads/2010/09/EthicsEnglishmarch2003.pdf);
3. *Principles and Elements for A Comprehensive Arctic Policy*, Inuit Circumpolar Conference, 1992. (worldcat.org/title/33371057)

This standard also applies to other groups within society.

8.2.4. Social Workers shall take appropriate steps to ensure that research participants have access to appropriate supportive services if necessary, for example, if a research subject finds a questionnaire distressing or if a potential research subject is upset about not being included in a study.

8.2.5. Social Workers shall ensure that due care has been taken to protect the privacy of research participants through attention to confidentiality requirements and specifications for storage of research records.

8.3. Informed Consent, Anonymity and Confidentiality

8.3.1. Social Workers shall obtain informed consent to take part in research from either the 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.

8.3.2. Social Workers shall ensure that consent is given voluntarily, without coercion, inferred disadvantage for refusal to participate, or inferred benefits for participating, 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 or other professional services.

8.3.3. Social Workers shall ensure that research participants' identity or any identifying information obtained from or about participants during the research process is treated as confidential and that the identity of participants is separated from the data that is stored.

8.3.4. Social Workers shall ensure the anonymity of research participants is maintained in subsequent reports from research.

8.3.5. Social Workers shall store research material securely and for the required period indicated by relevant research ethics guidelines.

8.4. Accuracy of Report of Research Findings

8.4.1. Social Workers shall report research results accurately and objectively, acknowledging the contributions of others, and respecting copyright law.

8.4.2. When feasible, Social Workers shall inform research participants or their legally authorized representatives of research results that are relevant to them.

8.4.3. When feasible, Social Workers shall bring to the attention of relevant bodies, research results that indicate or demonstrate social inequalities or injustices.

8.4.4. When using the data for publication or other purposes, the Social Worker conducting the research shall comply with the procedures established by the funder or employers as well as to the provisions governing royalties.



Standard 9: Technology & Storage of Files

9.1. Telephonic, Electronic & Web-Based Services

- 9.1.1. Social Workers providing services via telephone or other electronic means shall act ethically, ensure personal professional competence, protect clients and uphold the values of the profession.
- 9.1.2. Social Workers shall be proficient in the technological skills and tools required for the conduct of their practice and shall seek appropriate training and consultation to stay current with emerging technologies relevant to practice.
- 9.1.3. Social Workers who use technological means to provide services shall make reasonable effort to become and remain knowledgeable about the advantages and drawbacks of professional online relationships, and the ways in which technology-based social work practice can be safely and appropriately conducted.³⁶
- 9.1.4. Social Workers who use technological means to provide services shall abide by all regulations of their professional practice with the understanding that their practice may be subject to regulation in both the jurisdiction in which the client receives services and the jurisdiction in which the Social Worker provides the services.
- 9.1.5. Social Workers who use technological means to provide services shall represent themselves to the public with accuracy.³⁷
- 9.1.6. Social Workers who use electronic means to provide services shall make reasonable efforts to verify client identity and contact information.
- 9.1.7. Social Workers shall protect client privacy when using technology in their practice and document all services, taking special safeguards to protect client information in the electronic/internet based methods.
- 9.1.8. When using or providing supervision and consultation by technological means, Social Workers shall follow the standards that would be applied to a face-to-face supervisory relationship and shall be competent in the technologies used.
- 9.1.9. As part of the informed consent process, Social Workers shall inform clients about technologies that are being used in the delivery of social work services, including the inherent risks and opportunities.

³⁶ Geographical barriers are inherently absent on the internet and so the global perspectives of clients served via technology may be different from the Western model of psychotherapy and service delivery. Due to the social isolation often imposed on persons in vulnerable populations, Social Workers need to take into consideration the potential for exploitation and misuse of electronic methods with these individuals and families. Additionally, culturally competent Social Workers need to consider the strengths and limitations of current electronic modalities, process and practice models, in order to provide services that are applicable and relevant to the need of culturally and geographically diverse clients and members of vulnerable populations.

³⁷ The anonymity of electronic communication makes misrepresentation possible for both Social Workers and consumers of social work services. Because of the potential misuse by unqualified individuals, it is essential that information be readily verified in order to ensure consumer protection. Social Workers need to provide their full name, credentials, social work registration information, physical location and professional office telephone numbers. Websites should provide links to all appropriate certification bodies and regulatory boards to facilitate verification.



- 9.1.10.** Social Workers shall document all electronic communications in keeping with 9.2.
- 9.1.11.** Social Workers shall be aware of inter-jurisdictional issues when providing therapy or social work services using electronic technologies (i.e., on-line counselling, on-line support groups, video conferencing etc).
- 9.2. Handling of Client Records**
- 9.2.1.** Social Workers shall maintain one master file of professional interventions and opinions, with due care to the obligations and standards of their employer and relevant regulatory body.
- 9.2.2.** Social Workers shall document information impartially and accurately and with an appreciation that the record may be revealed to clients or disclosed during court proceedings.
- 9.2.3.** 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. Where records are shared across professions or agencies, information shall be recorded only to the degree that it addresses clients' needs and meets the requirements of an employer and professional standards of practice.
- 9.2.4.** Social Workers shall consider clients to be the primary source of information about their personal issues.
- 9.2.5.** While Social Workers may use any form of technology for keeping records, Social Workers shall maintain the confidentiality of the information that is contained in the record in accordance to Federal and Provincial Privacy Legislation.
- 9.2.6.** Social Workers shall ensure that all recorded information is either relevant to the solution of the client's problems or is needed for agency administration, policy or legislation.
- 9.2.7.** When a couple, family, organization, community or other group is the client, Social Workers shall keep a record that relates to the appropriate constellation (collection) of clients. If a Social Worker has an individual client from within one of these groups, then the Social Worker shall keep a separate record and respect confidentiality in that relationship.
- 9.2.8.** Social Workers shall:
- Provide information to a client about the conditions under which access to that client's record will be provided or denied.³⁸
 - Provide access to the record of a client who is the subject of that record, on the client's request, subject to policy and legislation.³⁹

³⁸ It is important to ensure that reference to persons other than the client are excluded from what is released.

³⁹ Social Workers ensure that clients have reasonable access to official social work records concerning them. However, if there are compelling professional, ethical, for legal reasons for refusing access, Social Workers advise clients of their right to request a review of the decision through organizational or legal channels, e.g. Freedom of Information Act.

9.3. Storage of Client Files

- 9.3.1. Social Workers shall store records in a way that maintains the confidentiality of information contained within those records.
- 9.3.2. Social Workers shall transfer or dispose of clients' records including mechanical or electronic records in a manner that protects clients' confidentiality and is consistent with legislation and policies governing records.
- 9.3.3. Social Workers shall be aware of the process by which clients have access to personal records.
- 9.3.4. Social Workers shall comply with the requirements regarding record retention, storage, preservation and security set out in any applicable privacy and other legislation. Members employed by an organization acquire and maintain a thorough understanding of the organization's policies with regard to the retention, storage, preservation and security of records. Self-employed Social Workers shall be responsible for complying with privacy legislation establish clear policies relating to record retention, storage, preservation and security.
- 9.3.5. Social Workers shall ensure that each client record is stored and preserved in a secure location for at least seven years from the date of the last entry or, if the client was less than eighteen years of age at the date of the last entry, at least seven years from the day the client became or would have become eighteen. Different periods of storage time may be required by law. Longer periods of storage time may be defined by the policies of a member's employing organization or by the policies of a self-employed member or a member who is responsible for complying with privacy legislation. Such policies should be developed with a view to the potential future need for the record.
- 9.3.6. Social Workers shall take necessary steps to protect the confidentiality and security of paper records, faxes, electronic records and other communications.

9.4. Access and Disclosure

- 9.4.1. Social Workers employed by an organization shall acquire and maintain an understanding of policies regarding access to confidential client information. Such policies pertain to access requests by clients and any other parties.
- 9.4.2. Social Workers shall release information from the record to third parties without the client's authorization only if disclosure is legally obligated, or if the worker has evidence to conclude that such disclosure is urgent and essential to the prevention of harm and injury to the client or others.
- 9.4.3. Social Workers shall not release information to a third party if, in the member's professional judgment, such a release could result in harm to the client.

Standard 10: Protection of the Public

10.1. Maintain and Enhance the Reputation of the Profession

- 10.1.1. Social Workers shall cite an educational degree only after it has been conferred by an educational institution.
- 10.1.2. Social Workers shall identify and explain their education, training, experience, professional affiliation, professional registration and nature of service in an honest and accurate manner.
- 10.1.3. Social Workers shall not claim formal social work education in an area of expertise or training solely by attending a single lecture, demonstration, conference, workshop or similar teaching presentation.
- 10.1.4. Social Workers shall conspicuously display a current certificate of registration and membership issued by the regulatory body at their office
- 10.1.5. Social Workers shall distinguish between actions and statements made as private citizens and actions and statements as Social Workers, recognizing that Social Workers are obliged to ensure that no outside interest brings the profession to disrepute.⁴⁰

10.2. Protection of the Public

- 10.2.1. 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, their regulatory body or other professional organizations if there is a concern for the potential harm of clients.⁴¹
- 10.2.2. Social Workers shall report to their regulatory body (the NSCSW's Board of Examiners) information on the following conduct by an applicant or a Registered Social Worker that adversely affects or harms a client or prevents the effective delivery of a social service.
 - Sexual contact or sexual conduct with a client or a former client.
 - Failure to report as required by law.
 - Impairment in the ability to practice by reason of illness, use of alcohol, drugs or other chemicals, or as a result of any mental or physical condition.
 - Improper or fraudulent billing practices.
 - Fraud in the licensure application process or any other false statements made to the Board.

⁴⁰ A Social Worker's private life is a personal matter to the same degree as it is for any other citizen, except as it may compromise the fulfillment of professional responsibilities, or reduce the public trust in social work and Social Workers. If a Social Worker's behaviour would likely constitute conduct unbecoming a professional Social Worker, the regulatory body may consider a complaint and take appropriate action.

⁴¹ a. Impairment may emanate, for example, from personal problems, psychosocial distress, substance abuse or mental health difficulties.

b. Social Workers shall document their intervention with the colleague outlining the course of action taken.

c. If the actions of the colleague involve a violation of a mandatory reporting requirement e.g. child protection, child abuse, adult abuse then that reporting requirement supersedes all others.

- Conviction of any criminal offence reasonably related to the practice of social work.
- Any other conduct by any individual applicant or registered Social Worker that constitutes grounds for disciplinary action under the Nova Scotia Social Workers Act, the Code of Ethics and the Standards of Practice.
- Any unqualified or unregistered person who is practicing social work.

10.2.3. When information about a violation is obtained from a client, a Social Worker shall notify the client of the Social Worker's obligation to report the information to the Board of Examiners of the NSCSW.

10.2.4. If a client refuses to consent to release of their name, a Social Worker shall report the violation without providing information that would identify the client.

10.3. Support Regulatory Practices

10.3.1. Notwithstanding any other provisions of the Code of Ethics and these Standards of Practice, and subject to any limitations imposed by law, Social Workers shall fully cooperate with investigations into matters of complaint against themselves and other Social Workers in order to assist with the protection of the public.

10.4. Public Emergencies

10.4.1. Social Workers shall provide professional services during public emergencies to the greatest extent possible.

Standard 11: Professional Development & Competent Practice

11.1. Professional Development

- 11.1.1. Social Workers shall ensure their skills are in keeping with current knowledge and practices in the field of social work through a minimum 40 hours of professional development annually. Failure to meet this requirement will result in suspension.
- 11.1.2. Social Workers shall maintain a personal record of their professional development activities with supporting documentation.⁴²
- 11.1.3. Social Workers shall submit a report of professional development activities annually at the time of registration renewal and use the prescribed online forms to detail their professional development activities.
- 11.1.4. In order to maintain competency, Social Workers on leave shall complete professional development requirements in accordance to the Professional Development Policy (See Social Worker Regulations, Sections 22-25).

⁴² This documentation may include, but would not be limited to: title of conferences, seminars, workshops, names and credentials of presenters, date of professional development activity, number of hours, title and author of articles and books, titles of chapters in books, number of student and candidate supervision, dates of supervision, etc.

Appendix: Process for Review & Amendments to the Code of Ethics & Standards of Practice

A.1. Review Period

- A.1.1.** The period for formal review of this document is at least every seven years. This document remains in effect until the review has been completed and approved according to NSCSW legislation, regulations and by-laws.

A.2. Regular Review

- A.2.1.** At least five months prior to the review date, the NSCSW Council shall solicit from its member's recommendations for revisions to the Standards of Practice, and shall review and decide on proposed amendments:
- A.2.2.** Proposed amendments shall be circulated to the membership at least three weeks before the Annual General Meeting of the NSCSW or a Special General Meeting of the membership.
- A.2.3.** The amendments shall be approved at an Annual General Meeting or a Special General Meeting by a simple majority.

A.3. Special Review and Amendments

- A.3.1.** In the circumstance of an urgent concern in the Code of Ethics or Standards of Practice, a special review may be requested by a member and decided upon by Council.
- A.3.2.** The Council shall consult the membership, review the information and formulate an interim special amendment to be effective upon communication of same to the membership.
- A.3.3.** This interim special amendment shall be presented for ratification at the subsequent Annual General Meeting of the NSCSW, or at a Special General Meeting.



Glossary

Advocacy

The act of directly representing or defending others. Championing the rights of individuals, groups or communities through direct intervention or through empowerment. It is a basic obligation of the profession and its members.**

Assessment

1. The process of determining the nature, cause, progression and prognosis of a problem and the personalities and situations involved therein; the function of acquiring an understanding of a problem, what causes it, and what can be changed to minimize or resolve it.**
2. The identification of strengths and capacities and redefinition of problems as needs.*****

Client

“Client”, in relation to a member of the College, refers to any person or body that is the recipient of, or has contracted to receive, social work services from the member, including an individual, couple, group, family, organization, government agency or community that receives (or contracts to receive) direct or indirect social work services, (as described in the scope of practice). In social work research, the client may include a participant in that research. In social work education, the client may include a student or supervisee. Clients of members employed by an organization are considered clients of both the member and the organization.**

For the purposes of the College’s sexual misconduct standards (section 3.7-3.9) “client” refers to current, former, and vulnerable former clients (see footnotes within section 3.8 for more detail about these subcategories), and also includes a parent, guardian, spouse, partner, child, or any substitute decision maker of the individual receiving social work services. Unless stated otherwise it also includes a student being supervised by a Registered Social Worker, or a Social Worker Candidate being mentored by a Registered Social Worker.

Competence

For social workers, competence means the ability to fulfill the requirements of professional practice.

Competence includes possession of all relevant educational and experiential requirements, and the ability to carry out professional duties and achieve goals while adhering to the values and code of ethics of the profession.

Competence for social workers also includes, but is not limited to, having the capacity to understand and act reasonably. **

Confidentiality

A principle of ethics according to which the member may not disclose information about a client without the client’s consent. This information includes, but is not limited to, the identity of the client, the content

of overt verbalizations or other communications with the client, professional opinions about the client, and material from records relating to or supplied by the client.**

Conflict of Interest

is defined as a situation in which a member has a personal, financial or other professional interest or obligation which gives rise to a reasonable apprehension that the interest or obligation may influence the member in the exercise of his or her professional responsibilities.

Actual influence is not required in order for a conflict of interest situation to exist. It is sufficient if there is a reasonable apprehension that there may be such influence. One of the hallmarks of a conflict of interest situation is that a reasonable person, informed of all of the circumstances, would have a reasonable apprehension (in the sense of reasonable expectation or concern) that the interest might influence the member. The influence need not be actual but may simply be perceived. However, a mere possibility or suspicion of influence is not sufficient to give rise to a conflict of interest. The interest must be significant enough to give rise to a “reasonable apprehension” that the personal, financial or other professional interest may influence the member in the performance of his or her professional responsibilities.

Counselling Services

are defined as services provided within the context of a professional relationship with the goal of assisting clients in addressing issues in their lives by such activities as helping clients to find solutions and make choices through exploration of options, identification of strengths and needs, locating information and providing resources, and promoting a variety of coping strategies, but do not include psychotherapy services.

Diagnosis

Social Work Diagnosis: A social work diagnosis defines that series of judgments made by a social worker based on social work knowledge and skills in regard to individuals, couples, families and groups.

These judgments:

- (a) serve as the basis of actions to be taken or not taken in a case for which the social worker has assumed professional responsibility and
- (b) are based on the Social Work Code of Ethics and Standards of Practice. Such judgments and the procedures and actions leading from them are matters for which the social worker expects to be accountable.

Dual Relationship

is defined as a situation in which a College member, in addition to his/her professional relationship, has one or more other relationships with the client, regardless of whether this occurs prior to, during, or following the provision of professional services. A dual relationship does not necessarily constitute a conflict of interest; however, where dual relationships exist, there is a strong potential for conflict of interest and there may be an actual or perceived conflict of interest.

Relationships beyond the professional one include, but are not limited to, those in which the College member receives a service from the client, the College member has a personal, familial or business relationship with the client, or the College member provides therapy to students, employees or supervisees.

Efficacy

The capacity to help the client achieve, in a reasonable time period, the goals of a given intervention. **

Evidence

refers to information tending to establish facts. For College members, evidence can include, but is not limited to: direct observation; information collected in clinical sessions; collateral information; information from documents and information gathered from the use of clinical tools. (e.g. diagnostic assessment measures, rating scales).

Formal Notice

A written statement concerning a fact that is communicated to the affected person, giving that person an awareness of the fact.*

Intervention

Coming between groups of people, events, planning activities, or an individual's internal conflicts. In social work, the term is analogous to the physician's term "treatment". Many social workers prefer using "intervention" because it includes "treatment" and also encompasses the other activities social work members use to solve or prevent problems or achieve goals for social betterment. These could include psychotherapy, advocacy, mediation, social planning, community organization, finding and developing resources. **

RSW

Registered Social Worker. A member of the College who holds a certificate of registration.

Self-determination

An ethical principle that recognizes the rights and needs of clients to be free to make their own choices and decisions. Inherent in the principle is the requirement for the member to help the client know what the resources and choices are and what the potential consequences of selecting any one of them may be. **

Sexualized Conduct

refers to conduct including threatened, attempted, or actual conduct, behaviour, or words of a social worker, with a sexual connotation, character, or quality. The term "sexualized conduct" does not include clinically indicated questions or services.

Sexual Misconduct

includes any sexualized conduct engaged in by a social worker with a current client or vulnerable former client, including but not limited to:

- sexualized comments or questions by a social worker to a current client that lacks occupational relevance, including comments or questions about a client's body, clothing or sexual history;
- threatened or attempted sexual contact by a social worker to a current client;
- sexual touching of any kind between a social worker and a current client;
- a social worker encouraging a current client to engage in sexualized behaviour within the social worker-client relationship; and
- sexual abuse.

Sexual Abuse

A form of sexual misconduct. It includes the following acts between a social worker and a current client or vulnerable former client:

- sexual intercourse including: genital to genital, genital to anal, oral to genital, or oral to anal contact;
- masturbation of the client by the social worker;
- a social worker encouraging a client to masturbate in the presence or for the benefit of the social worker; or
- masturbation by the social worker in the presence of the client.

Sexualized conduct with members of the profession and students

Sexualized conduct with another member of the profession or an organizational colleague may be considered sexual misconduct if the consequences of such conduct could have adverse effects on a client or a working relationship.

Engaging in sexualized conduct with a student that the social worker supervises or teaches is sexual misconduct.

Subpoena

A legal document requiring a person to attend before a court or a tribunal, or at an out-of-court examination, to be examined as a witness in a legal proceeding.*

SWC

Social Worker Candidate. A member of the College who is completing the candidacy process.

*Black's Law Dictionary, Fifth Edition, Henry Campbell Black et al, 1979

**The Social Work Dictionary, 4th Edition, Robert L. Barker, 1999

***Client Rights in Psychotherapy and Counselling, A Handbook of Client Rights and Therapist Responsibility, Susan Beamish, Michelle Melanson and Marilyn Oladimeji, 1998

****Ontario College of Social Workers, Guidelines for Social Work Record-Keeping, 1999

*****The Strengths Perspective in Social Work, Dennis Saleebey, 1992