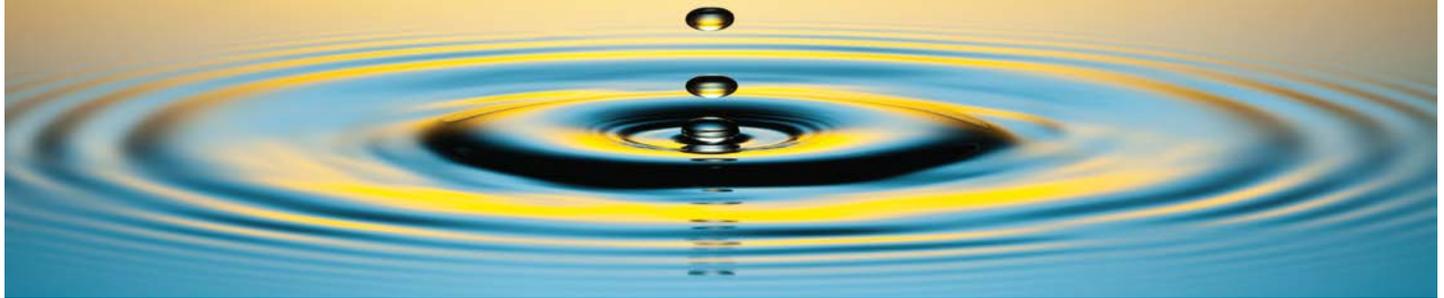


Newfoundland & Labrador Association of

Social Workers

Practice Matters



Practice Matters was created as an educational resource for social workers in Newfoundland and Labrador. It is intended that this resource will generate ethical dialogue and enhance critical thinking on issues that impact social work practice. Practice Matters is provided for general information.

When in Doubt....Consult!

peer consultation and ethical decision making

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Social workers are skilled in the process of ethical decision making. Two competencies of this profession are the ability to “*identify ethical considerations related to the problem or needs being addressed*” and “*to determine whether a planned course of action is consistent with professional ethics*” (CCSWR 2012 p. 10). These competencies are so foundational to practice that the Canadian Council of Social Work Regulators (CCSWR) include these as expectations at entry level. However, the ability to utilize professional judgment to resolve complex ethical dilemmas and to refine and develop these competencies is a product of both experience and continuing education. An essential aspect of the enhancement of ethical decision making skills at any level is the ability to consult.

The Canadian Association of Social Workers (CASW) Code of Ethics (2005) outlines the values and principles to guide ethical decision making and states that ethical conflicts are to be resolved in a manner which is consistent with that document. Section 3.2.2 of the CASW Guidelines for Ethical Practice (2005) states:

Social workers seek advice and counsel of colleagues whenever such consultation is in the best interest of clients. (p.14)

A research study focusing upon the application of the use of the code of ethics in social work practice in Newfoundland and Labrador (Johns & Crockwell, 2009) found that when asked what would be most helpful in resolving an ethical dilemma, the majority of respondents (31.3%) indicated peer consultation as their first choice, followed by discussion with a supervisor (20.6%), and personal values and experiences (15.3%). The Code of Ethics was listed as a first choice by 6.1% of the respondents.

Peer consultation is the primary method for the resolution of ethical dilemmas by social workers in Newfoundland and Labrador and is an integral component of sound ethical decision making. It is assumed to be an essential part of practice but we do not often reflect on the peer consultation process itself. This edition of Practice Matters will explore elements of the peer consultation process as it relates to ethical decision making. It will differentiate between consultation and supervision, explore considerations for choosing a peer consultant and identify practice issues for those seeking consultation.

Defining Consultation and Supervision

The Social Work Dictionary (1995) defines consultation as “an interpersonal relationship between an individual or organization possessing special expertise and someone who needs that expertise...social work consultation is a problem-solving process....the consultant has no special administrative authority over those to whom advice is given (p.77)”

The supervisory relationship has a different structure, expectation and mechanism for the sharing of information. The NLASW Standards for Supervision of Social Work Practice (2011) clearly distinguishes between supervision and consultation.

In contrast to supervision, consultation is a voluntary relationship for the consultee and the consultant. Authority is not held by or designated to one participant over another. This means that the person providing consultation is not responsible for the consultee's practice decisions (Garrett & Barretta-Herman, 1995). Therefore, peers within an organization can provide consultation to each other. A consultation relationship can also occur with a person outside of an organization for a designated period of time. In those circumstances, a consultant (a) is sought out because of knowledge or skill in a particular area; and (b) is contracted to encourage knowledge and skill development, and/or provide opinions and suggestions for consideration around specific issues or learning needs (Barretta-Herman, 2001; Middleman & Rhodes; 1985; Munson, 2002; Payne, 1994).

The reality for most social workers in Newfoundland and Labrador is limited access to a supervisor who is a registered social worker. An ongoing supervisory relationship where critical reflection and learning about ethical and practice issues occurs consistently is not readily available in most fields of

practice. Many social workers are members of interdisciplinary teams and administratively report to individuals of other professional backgrounds, work in independent practice or have only limited access to social work supervision. When faced with an ethical dilemma such as a potential dual relationship we will turn to a colleague/peer to help us clarify and determine the parameters of the dual relationship. The value of consultation with another registered social worker respecting the resolution of an ethical dilemma in social work practice cannot be understated; but which peer should we consult?

Qualities of the Peer Consultant

A colleague is defined as:

any other social worker, any person employed in the same organization as the social worker, or any other professional the social worker has contact with in the provision of professional services. (Alberta College of Social Workers, 2013)

The NLASW Standards for Supervision of Social Work Practice (2012) outlines knowledge and skills for supervisors, some of these apply to choosing a peer consultant.

- A registered social worker able to bring a social work lens to the ethical dilemma
- Demonstrated knowledge, skill and competence related to the subject of the consultation
- Experience in the same or a related field
- Knowledge of best practices in the same or a closely related field of practice
- Possess the ability to engage in critically reflective thinking

Another important consideration is the nature of the relationship with the potential peer consultant. The following are questions for reflection:

- Will my peer challenge my thinking?
- Will they articulate differences of opinion? Or will they agree with me too readily?
- Are they too close to the situation to give an objective opinion?
- Is there a dual relationship (eg. friendship) that would impact on the peer consultation process?

Practice Issues when Seeking Consultation

Depending upon whether the consultation occurs with a peer within or outside of the organization and depending upon the extent of information which must be shared to seek consultation, the following are practice issues.

Confidentiality and Consent of the Client

If the ethical dilemma relates to a client situation, Value 5 of the CASW Code of Ethics guides social workers to protect the privacy of client information and respect the client's right to control when and whether information will be shared with third parties (p.7). This is important to consider when the identity of the client impacts the consultation or when information being shared could identify the client. Therefore whether written informed consent should be obtained for the consultation process ought to be considered. When informed consent is obtained it is important for the social worker to provide clear information about the following aspects of the consultation process:

- with whom the information will be shared
- what information will be shared
- the intended purpose for sharing the information
- the time frame for the informed consent

When consultation in the form of interdisciplinary team work, structured or individual peer consultation occurs as part of the practice of an agency, this should be included in the limits to confidentiality. When consultation does occur through a formal organizational structure or informally with a colleague, social workers share the least amount of information required to achieve the intended purpose of assisting the consultation process and resolving the ethical dilemma.

Professional judgment on the part of the social worker is important as these decisions are being made.

Documentation

Social workers need to consider how and where a peer consultation respecting an ethical dilemma should be documented. Six contemporary functions of social work documentation have been identified. These are (1) assessment and planning, (2) service delivery, (3) continuity and co-ordination of services; (4) supervision; (5) service evaluation and (6) accountability (Reamer 2005). Documentation of a consultation respecting an ethical dilemma could be linked to either of the identified functions and is often linked to accountability.

When the ethical dilemma relates to a client situation, social workers consider how the process of informed consent and outcome of consultation is documented in the client file. The same would apply to the results of a peer or team consultation process. Ethical dilemmas related to agency resources or policies, personnel conflicts or personal opinions should not be recorded in a client file (Reamer 2005).

When the ethical dilemma relates to a colleague in a place of employment, social workers are encouraged to consult the NLASW document titled *Guiding Framework for Social Workers*

Concerned About the Professional Practice of a Colleague (2012). This practice resource provides detailed considerations including guidelines for documentation to assist social workers who are experiencing this type of ethical dilemma in practice.

Some places of employment will have a form specifically for tracking consultation as appropriate to the agency setting and field of practice. Any documentation about a consultation should be completed without the expectation of privacy and with the assumption that the notes may be reviewed in the future (Reamer 2005). Peer consultants should be aware of the documentation practice respecting the peer consultation process. If there is not a clear documentation process for consultation within a place of employment, it is recommended that social workers initiate discussions around agency practice and expectations.

Following the Advice of the Consultant

As indicated in the definition of consultation versus supervision, the peer consultant does not have authority over the practice of the social worker. Therefore, the advice of the consultant forms one part of the overall process of ethical decision making. The social worker is ultimately responsible for ethical decisions made in social work practice. If there are concerns about the advice that was received then this needs to be addressed by clarifying the nature of the advice and seeking another opinion. Consideration should be given to whether further consultation within the structure of the organization is required. Critically reflecting on every aspect of ethical decision making including consideration of the advice received goes back to one of the foundational competencies *“identify ethical considerations related to the problem or needs being addressed”* and *“to determine whether a planned course of action is consistent with professional ethics”*

Conclusion

Good peer consultation has the power to assist us to navigate complex ethical challenges. It is one essential aspect of successful ethical decision making. This edition of Practice Matters is intended to identify issues for consideration during the peer consultation process and to raise questions for reflection. Choosing a peer consultant who has the social work perspective, knowledge, competency and skill is important. Considering factors such as the nature of the relationship with the consultant, confidentiality and informed consent when the dilemma involves a client, documentation of the consultation and exercising professional judgment respecting the nature of the advice will assist with making the best decisions possible.

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