Risk Management and Ethical Issues in Social Work

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Abstract

http://dx.doi.org/10.15405/epsbs.2016.09.2

In a world risk society, managing risk is a daily challenge for all social workers throughout the world. Risk can change over time depending on a whole range of factors. Risk management is essentially a teleological approach to ethics and refers to efforts to protect clients (mainly persons in vulnerable and difficult life situation), practitioners, and employers. Ethical awareness is fundamental to the professional social work practice where respect for human rights and diversities, a commitment to promoting social justice, taking collective responsibility are the core of it. The purpose of this paper is to analyse the main risk management and ethical issues in contemporary social work practice. The theory and practice of risk management and ethical issues in social work are reviewed and summarized. The most common risks facing social workers are identified and the main risk management approaches are highlighted. It is found that risk management is a dynamic and evolving process and requires development and use of different skills for work with risks and ethical issues. Social workers could use a variety of methods to manage risks and ethical issues namely consulting with a supervisor, applying the Code of Ethics, using a decision-making model for critical thinking, and applying ethical theories (deontology, teleology). It is concluded that ability and commitment of social workers to act ethically is one of the essential aspects of risk management in social work. Recommendations concerning the development of the social work practice regarding the risk management and ethical issues are given.

Keywords: Social work; risks; social risks; ethical issues; risk management.

1. Introduction

In a world risk society, managing risk is a daily challenge for all social workers throughout the world. Every principled social worker wants to act ethically and prevent harm by managing risks effectively during interventions range from primarily person-focused psychosocial processes to involvement in social policy, planning, monitoring, control and development. Risk management is essentially a teleological approach to ethics and it refers to efforts to protect clients (mainly persons in a vulnerable and difficult life situation), practitioners, and employers. Ethical awareness is fundamental to the professional social work practice where respect for human rights and diversities, a commitment to promoting social justice, taking collective responsibility are at the core of it.

The purpose of this paper is to analyse the main risk management and ethical issues in contemporary social work practice.

In the first section we review the theory of the risk management and ethical issues in social work. In the second section we analyse the practice of the risk management and ethical issues in social work. Final section we give conclusions and recommendations regarding development of the risk management and ethical issues in social work.

We used the literature based research methodology and structural-functional analysis in the construction of the paper. Two approaches were applied for the gathering of research materials such as the standard hierarchical search and the citation pearl searching. Documentary analysis and observations of social work practice were used as research methods. Results and conclusions were made by the analysis of the gathered information regarding the risk management and ethical issues in social work and professional experience.

2. Theory of the risk management and ethical issues in social work

The word risk originates from the Greek word "rhiza", which refers to the hazards of sailing around a cliff (Covello & Mumpower, 1985). Webb considers that risk is often normatively defined in probabilistic and mathematical terms as it relates to the expected losses which can be caused by a risky event and to the probability of this event happening. It is mapped to the probability of some event which is seen as undesirable. The harsher the loss, as it relates to the likelihood of the event, the worse the risk (Webb, 2006). Risk can and does change over time dependent on a whole range of various factors (social, economic and environmental factors) .

One well refereed definition on risk management is given by Rowe. Rowe defines risk management is the managerial response based on the resolution of the various policy issues, such as acceptable risk. Risk management decisions are made by considering risk assessment within the context of political, social, and economic realities. Risk assessment includes risk determination and risk evaluation, whereas risk management includes risk assessment and risk control (Rowe, 1977).

Risk management refers to processes devised by organizations to minimize negative outcomes which can arise in the delivery of welfare services. In social work, the particular risks for which social care agencies and individual professionals can be held accountable will relate to their statutory duties. These statutory duties involve fundamental considerations about risk to children and vulnerable adults.

Such considerations take place within a political context, subject to differing beliefs about: who holds responsibility for risk in society; how far the risk to individual should be offset against the risk to the public at large; the allocation of resources to manage the risk (Davies, 2000, pp. 300-301).

Managing risk in organisations is about the application of policies and procedures to the tasks of identifying, analysing and assessing risks, determining the degree of exposure to risk that organizations can accommodate, and taking appropriate steps to avoid litigation, loss of reputation or injury (Francis & Armstrong, 2003). Clients also play an important role in managing risk alongside organizations.

Social work bases its methodology on a systematic body of evidence informed knowledge derived from research and practice evaluation, including local and indigenous knowledge specific to its context. It recognises the complexity of interactions between human beings and their environment, and the capacity of people both to be affected by and to alter the multiple influences upon them including biopsychosocial factors. The social work profession draws on theories of human development and behaviour and social systems to analyse complex situations and to facilitate individual, organisational, social and cultural changes (The Policy, Ethics and Human Rights Committee, 2012).

Much of the theory about risk has evolved from the context of insurance and is based on the theory of probability. Risk management is an area that has had little development in social work writing. Managing risks raises issues about values (Davies, 2000). Social work is a value-based profession and ethical codes have long been fundamental to social work education and practice throughout the world.

Analysis of literature shows that the different approaches can be applied to risk management, namely a benefits-risks approach, a competency-based approach, a systemic approach, an ecological approach, a structured approach and a transdisciplinary approach. Using a benefits-risks approach, social workers and agencies identify both the benefits and risks of particular courses of action. A benefits-risks approach (Barsky, ***) allows social workers to determine what level of risk they are willing to accept and make informed decisions, taking into account the benefits and risks to all parties, with particular attention to the impacts on clients.

An effective social work governance framework will need to include a structured approach to assessing and managing risk, drawing on evidence based approaches which means that front line practitioners can evidence and justify their decisions and organisations can take informed risks. This will allow front line practitioners to make well informed judgements (Executive, 2006, pp. 51-52).

We would like to underline that there are also risks of risk management. For example, Barsky identifies several risks of risk management which are followings: risk management may cause workers and agencies to avoid serving the most vulnerable and needy populations, because doing so entails additional risk; avoiding risky interventions may also mean precluding the potential benefits of such interventions; risk management encourages workers and agencies to do the "least risky thing" rather than the "right thing", etc. (Barsky, ***).

Social workers must act ethically during various interventions which include counselling, clinical social work, group work, social pedagogical work, and family treatment and therapy, efforts to help people obtain services and resources in the community, community organisation and engaging in social and political action to influence social policy and sustainable development.

Ethics in social sciences fieldwork draws on the perspectives of philosophy, law, and psychology to guide decision making by researchers and policymakers. Ethics can be defined as "the study of right and wrong; of the moral choices people make and the way in which they seek to justify them" (Thompson, 1999).

Andre and Velasquez argue that the ethics is two things. First, ethics refers to well based standards of right and wrong that prescribe what humans ought to do, usually in terms of rights, obligations, benefits to society, fairness, or specific virtues. Secondly, ethics refers to the study and development of one's ethical standards (Andre & Velasquez, ***).

Social work ethics have evolved significantly during the profession's history. Reamer defines 5 periods in the evolution of social work ethics, namely morality period; values period; ethical theory and decision-making period; ethical risk management period and digital period. In ethical risk management period for many social workers, ethics included questions such as "Can I be sued or have a licensing board complaint filed against me if I...?" Ethics-related risk management became a relatively new component of social work education and training (Reamer, 2014). Risk management education programmes that harness learning from adverse events and near misses have proved to be an important method of improving service quality (Bostock, Bairstow, Fish & Macleod, 2005). In a today's new digital period social workers can provide services to clients by using online counselling, telephone counselling, video counselling, cyber therapy (avatar therapy), self-guided Web-based interventions, electronic social networks, e-mail, and text messages. Digital, online, and other electronic technology has transformed the nature of social work practice. The introduction of diverse digital, online, and other forms of electronic social services has created a wide range of complex ethical and related risk management issues (Reamer, 2013).

3. Practice of the risk management and ethical issues in social work

Management of risk within social work practice is critical to ensure the delivery of safe, effective and innovative practice. It is known that the social work practice responds to crises and emergencies as well as to everyday personal and social problems by addressing the barriers, inequities and injustices that exist in society. Despite the holistic focus of social work on persons and their environments is universal, practice of the risk management in social work will vary from country to country and from time to time depending on the priorities of social work practice, cultural, historical, legal, socio-economic and ecological conditions.

According to Reamer, the risk management is a broad term that refers to efforts to protect clients, practitioners, and employers. Risk management includes the prevention of lawsuits and licensing board complaints. Lawsuits allege professional malpractice; licensing board complaints allege violation of standards of practice set forth in licensing laws and regulations. Lawsuits can result in monetary judgments against social workers; licensing board complaints can result in fines, revocation or suspension of a professional license, probation, mandated supervision and continuing education, reprimand, or censure. Professional malpractice is generally considered a form of negligence. Malpractice in social work usually is the result of a practitioner's active violation of a client's rights (in legal terms, acts of commission, misfeasance, or malfeasance) or a practitioner's failure to perform

certain duties (acts of omission or nonfeasance). Some malpractice and liability claims result from genuine mistakes or inadvertent oversight on the part of social workers (e.g., a social worker sends an e-mail message containing confidential information to the wrong recipient, or a passenger in an elevator overhears a social worker talking with a colleague about confidential aspects of a case); others ensue from a deliberate decision (e.g., a social worker decides to divulge confidential information about a client in order to protect her children from harm). A social worker's unethical behaviour or misconduct (e.g., embezzling a client's money) can also triggers claims (Reamer, 2014).

Webb defines three strategies for social governance of risk that predominate in social work. The first ones are prevention strategies aiming to reduce the probability of a risky occurrence. These strategies are introduced before a risky occurrence happens and include practices such as providing visual aid for blind service users. The second ones are mitigation strategies that also come in before the risky occurrence happens, they aim to reduce the potential impact if the risky occurrence were to happen. Good examples of mitigation strategies are the various respite care regimes that social workers make use of. The third one is coping strategy aimed at relieving the impact of a risky occurrence once it has happened (Webb, 2006).

Social work services must develop a new organizational approach to managing risk, which ensures the delivery of safe, effective and innovative practice. We think that there is a need to develop in each country the nationally agreed and evidence based risk assessment tools that provide a sound underpinning for professional judgement in social work.

Webb says that techniques and methods for managing and assessing risk can vary considerably across different professions with the resultant effect that some professions, such as social work, are defined according to their ability and propensity to deal with risk. Studies show that performance, accountability, quality control and transparency become key elements of risk regulation in contemporary social work.

Social workers could use a variety of methods to manage risks, including social risks, and ethical issues namely the consulting with a supervisor, applying the Code of Ethics, using different models of social work (a decision-making model for critical thinking), and applying ethical theories namely deontology (duty based ethics) or teleology (choosing actions that maximize positive consequences).

According to Bank's studies, countries have similarities and differences in their social work ethical codes. His analysis of the structure and content of the codes of ethics of 20 countries found a high level of congruence in relation to stated values and principles, but variation in practical guidance (Bank, 2001, p. 110).

A guide for developing of national ethical code for each country could be the document "Ethics in Social Work, Statement of Principles" which is developed jointly by the International Federation of Social Workers (IFSW) and International Association of Schools of Social Work (IASSW). IFSW is the largest social work organizational member body that includes over 750 000 social workers from all continents and 116 countries round the world. The document "Ethics in Social Work, Statement of Principles" was approved at the General Meetings of the IFSW and IASSW in Adelaide, Australia on October 2004. The document has been used by many countries as a guide for developing their own culturally relevant national ethical codes. The National Codes of Ethics of Social Work adopted by

IFSW Member countries are placed on the web site of IFSW. Nowadays there are represented 22 countries' the National Codes of Ethics (Australia, Canada, Denmark, Finland, France, Germany, Ireland, Israel, Italy, Japan, Luxemburg, Norway, Portugal, Russia, Singapore, South Korea, Spain, Sweden, Switzerland, Turkey, USA, United Kingdom) (National Codes of Ethics). The Codes of Ethics are in the national languages of the different countries. For that reason it was difficult for us to study and make some conclusions about features of the National Codes of Ethics which were placed in the national languages. We think it would be better to place the English versions or short resumes in English of them on the web site for knowledge and practice exchange between stakeholders and capacity building in social work field around the world.

Congress & McAuliffe indicate that the social workers frequently must revise and update ethical practice standards and codes in accordance with new knowledge and emerging practice issues, in the midst of contemporary economic and global challenges. Code revision is also particularly important in the current time period characterized by increasing litigation, risk management and clients' rights to make complaints about unethical conduct. Such complaints must be managed in a social justice framework, and practice standards must be sufficiently clear so that social workers receive guidance about the boundaries between appropriate and inappropriate professional conduct (Congress & McAuliffe, 2006).

In this regard we would like to highlight the ethical framework of some developed countries. In England the ethical framework within which social workers must work is set up in the Standards of conduct, performance and ethics (SCPE) which are developed by the Health and Care Professions Council. The Council is a regulator and keeps a register of health and care professionals including social workers since 2012. SCPE outlines also what the public should expect from social workers. SCPE was revised in 2015 by involving a wide range of stakeholders including service users and carers, professional bodies, employers and registrants and it was adopted on 26 January 2016. In SCPE ethics is defined as "the values that guide a person's behaviour or judgment". According to the revised SCPE social workers must promote and protect the interests of service users and carers; communicate appropriately and effectively; work within the limits of their knowledge and skills; delegate appropriately; respect confidentiality; manage risk; report concerns about safety; be open when things go wrong; be honest and trustworthy and keep records of their work. There is a standard regarding the managing of risk which covers issues about the identification and minimization of risks. It says that the social workers must: take all reasonable steps to reduce the risk of harm to service users, carers and colleagues as far as possible; not do anything, or allow someone else to do anything, which could put the health or safety of a service user, career or colleague at unacceptable risk; make changes to how they practice, or stop practicing, if their physical or mental health may affect their performance or judgment, or put others at risk for any other reason (Standards of conduct, performance and ethics, 2016).

The ethical practice principles in social work have variations in interpretation and guidance in the different countries. For example, in the UK Code of Ethics for Social Work states the values and ethical principles on which the profession is based. It also states that social workers: should take into account appropriate codes of practice, legislation, governance frameworks, professional practice and

training standards; have a responsibility to apply the professional values and principles to their practice; should act with integrity and treat people with compassion, empathy and care. Ethical practice principles in social work are: developing professional relationships; assessing and managing risk; acting with the informed consent of service users, unless required by law to protect that person or another from risk of serious harm; providing information; sharing information appropriately; using authority in accordance with human rights principles; challenging the abuse of human rights; being prepared to whistleblow; maintaining confidentiality; maintaining clear and accurate records; striving for objectivity and self-awareness in professional practice; using professional supervision and peer support to reflect on and improve practice; taking responsibility for their own practice and continuing professional development; contributing to the continuous improvement of professional practice; taking responsibility for the professional development of others; facilitating and contributing to evaluation and research. According to the assessing and managing risk ethical principle, social workers should recognise that people using social work services have the right to take risks and should enable them to identify and manage potential and actual risk, while seeking to ensure that their behaviour does not harm themselves or other people. Social workers should support people to reach informed decisions about their lives and promote their autonomy and independence, provided this does not conflict with their safety or with the rights of others. Social workers should only take actions which diminish peoples' civil or legal rights if it is ethically, professionally and legally justifiable (The Policy, Ethics and Human Rights Committee, 2012).

Because of clinical social workers work in high-risk situations they should be aware of practice outcomes of worst and best case scenarios. Clinical social workers should identify, prioritize, and manage risks in their practice. There are several common risk areas that should be carefully managed by clinical social workers who perform psychotherapy services in solo or group practice, including documentation, electronic health records, fee collections, supervision, injurious behaviours, and malpractice insurance (National Association of Social Workers, ***).

Joint, collaborative international aspirations and actions for social justice and social development play significant role in the development of risk management practice and ensuring an appropriate and ethical environment in Social Work. The Global Agenda for Social Work and Social Development (The Agenda) designed by IFSW, IASSW and ICSW creates a place to link together and be effective in a globalized world. The agenda aims to strengthen the profile of social work and to enable social workers to make a stronger contribution to policy development. According to Agenda the global efforts for Social Work and Social Development are focused on promoting social and economic equalities; promoting the dignity and worth of peoples; working toward environmental sustainability; strengthening recognition of the importance of human relationships. A commitment to ensuring an appropriate and ethical environment for practice and education runs throughout the process. The commitments are guided by and consistent with the core statements on the definition of social work (IFSW and IASSW, 2000), the ethical principles of social work (IASSW and IFSW, 2004) and the Global Standards for the Education and Training of the Social Work Profession (IASSW & IFSW, 2005) (The Global Agenda for Social Work and Social Development, 2012).

We would like to share Kazakhstani social work practice in the considered area. In Kazakhstan the institutionalization of social work is undergoing, social work is developing as a professional field of practice. Kazakhstan gained independence on December 16, 1991. Under the Constitution, Kazakhstan is a democratic, secular, legal and social state which recognizes the man, his life, rights and freedoms as the supreme values of the country. Social policy implemented in Kazakhstan is based on a number of principles of a social welfare state: individual economic freedom, regulating capacities of the market economy through the mechanisms of competition, demand and supply, social justice and spirit of community, social inclusion (Biyekenova, 2011).

Kazakhstan has made advances in the field of social work through legal, educational and professional development initiatives. The Government of Kazakhstan has expressed a commitment to developing the needed legislation to support the establishment of social work as a fully recognized profession. Social work is developing as practice of NGOs engaged in advocacy and social service provision and as practice of governmental organizations. Local and international NGOs provided the impetus for the development of community-based services that offer alternative practice models, shifting away from the existing institutional, medical models (The Rutgers University Center for International Social Work, 2008). Today over 81 NGOs participate actively in implementation of the state social order for the provision of social services to 5.1 thousand people. In the late 2000s, social work introduced in government facilities such as homecare departments for children with special needs, institutions for children and adults with disabilities, residential institutions for the elderly, and shelters for the homeless, schools, primary health care settings. There is the Association of social workers, volunteers and persons with disabilities (ASRIV). It was established in 2004. Social Work Education and Training is also developing. The first social work university program was introduced in the Karaganda State University in 1992 at the baccalaureate level. At present, many universities offer over 20 social work educational programmes (Bachelor's, Master's and Doctorate Degrees).

The main legislative framework regulating social work practice including risk management issues is the Law of the Republic of Kazakhstan on Special Social Services (the Law) which was adopted in 2008. The Law has been revised and updated since its adoption 21 times by taking into account the development challenges of the inside and outside of the country. The law defines a social worker as a worker providing special social services and (or) executing the assessment and defining of needs in special social services, (who is) possessing the required qualification, in accordance with the set requirements. Special social services (are) a complex of services (which are) providing to an individual (family) experiencing a difficult life situation conditions for overcoming occurring social problems and (are) aiming at the creation for them (individuals) equal with other citizens opportunities for the participation in the life of the society. Special social services include a guaranteed amount of special social services and pay special social services. A guaranteed amount of special social services is delivered free of charge for 6 groups of people such as disabled children with psycho-neurological pathologies; disabled children with disorders of the musculoskeletal system; persons with disabilities over the age of eighteen with neuropsychiatric diseases; persons with disabilities first and second groups; persons who are unable to look after themselves due to old age; homeless persons. The guaranteed special social services consists of socio-domestic, socio-medical, socio-psychological,

socio-educational, socio-laboral, socio-cultural, socio-economic, socio-legal services. Rights and responsibilities of social workers, organisations providing special social services, rights and obligations of clients (persons /family in a difficult situation) are listed in the law. The special social services must be delivered according the appropriate standards. There have be adopted several appropriate orders of the Ministers of Health and Social Development, Education and Science of the Republic of Kazakhstan regulating social work practice (delivery of special social services) namely "On approval of standards for the provision of social services in the field of education", "On approval of special social service standards for the field of social protection provision of the population", "On approval of standards for trafficking victims social services". Licensing of the activities of providing special social services was cancelled in 2012.

Nowadays in Kazakhstan a large-scale social modernization programme is being carried out implying the construction of new schools, vocational colleges and universities, opening of modern medical clinics and hospitals, improvement of the system of social support. The State programs of forced industrial and innovative development, education development and health-care development is being carried out. According to the Strategy Kazakhstan-2050, new principles of social policy in Kazakhstan are social guarantees and personal responsibility. It considers issues concerning the guarantee of basic social standards (minimum social standards), targeted social support, addressing social imbalances in the regions, modernisation of the labour policy (employment and salary policy). The most important part of this new social policy is improved protection of the rights of women and children. Kazakhstan's main goal in social policy will always be to prevent poverty growth. The State will bear full responsibility for targeted support of socially vulnerable groups: retirees, disabled, ill children and others by expanding the list of individual needs with the inclusion of education and healthcare items (including for the unemployed and disabled for their better socialization), healthy nutrition and healthy lifestyle, meeting intellectual and information needs (Nazarbayev, 2012).

4. Results and Conclusions

The risk management is a dynamic and evolving process. Management of risk within social work practice is critical to ensure the delivery of safe, effective and innovative practice.

Analysis of literature regarding theory and practice of the risk management and ethical issues in social work and professional experience allow us to identify the most common risks facing contemporary social workers and risk management measures/methods. These risks concern the practitioners worldwide. Tab. 1 presents the most common risks facing social workers and risk management measures/methods.

Table 1. The most common risks facing social workers and risk management measures/methods

	Common risks	Negative consequences from a risk realization	Risk management measures/methods
1	Professional malpractice: - a social worker's active violation of a client's rights (acts of commission, misfeasance, or malfeasance); - a social worker's failure to perform certain duties (acts of omission or nonfeasance); - a social worker's mistakes or inadvertent oversight	Lawsuits They lead to monetary judgments against social workers.	Developing (revising and updating) of appropriate codes of practice (Code of Ethics), legislation, governance frameworks, professional practice and training standards; Compliance with Codes of Ethics (international and national), standards, laws and regulations; Keeping a national register of social workers; Identifying, assessing, responding and monitoring of risks; Applying risk and ethical theories (deontology, teleology, etc) and different approaches to risk management; Communicating appropriately and effectively with all stakeholders;
2	Violation of standards of practice (laws and regulations): - a social worker's unethical behaviour; - a social worker's misconduct.	- Licensing board/ regulatory bodies (Council or Local authority) complaints; - - Claims. They lead to: - fines; - revocation or suspension of a professional license; - probation; - mandated supervision and continuing education; - reprimand or censure.	Enhancing the interagency working; Obtaining consultation and supervision in a digital period of the evolution of social work ethics; Continuing professional development (competency development); learning from adverse events and near misses; Obtaining legal advice when necessary; Documenting each and every step, maintaining clear and accurate records; Being open when things go wrong; Taking all reasonable steps to reduce the risk of harm to clients, carers and colleagues as far as possible; Not doing anything, or allowing someone else to do anything, which could put the health or safety of a service user, career or colleague at unacceptable risk; Taking actions which diminish peoples' civil or legal rights if it is ethically, professionally and legally justifiable; Making changes to how practice, or stop practicing, if physical or mental health of social workers may affect their performance or judgment, or put others at risk for any other reason.

Risk management requires development and use of different skills for work with risks and ethical issues. Social workers should also consider the risks of risk management in social work practice. The performance, accountability, quality control and transparency become key elements of risk regulation in contemporary social work. In conclusion we can say that that ability and commitment of social workers to act ethically, the appropriate development of legislative and institutional frameworks are the essential aspects of risk management in social work.

Analysis of the social work practice of Kazakhstan shows that the legislative and institutional frameworks relevant to social work practice are continuously improving. These frameworks can be considered as the foundation for the risk management in social work practice. National code of ethics for social work is going to be developed by involving all stakeholders. We recommend:

to use as a guide the document "Ethics in Social Work, Statement of Principles" (IFSW, IASSW) for developing of the National code of ethics for social work;

to revise and update the social work professional practice and training standards by taking into account the challenges of the ethical risk management and digital periods of the evolution of social work ethics.

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