



Practice Notes: Clients and Client Systems

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Practice Notes is designed as an educational tool to help Ontario social workers, social service workers, employers and members of the public gain a better understanding of recurring issues dealt with by the Complaints Committee that may affect everyday practice. The notes offer general guidance only and members with specific practice inquiries should consult the College, since the relevant standards and appropriate course of action will vary depending on the situation.

The Code of Ethics and Standards of Practice Handbook, Second Edition came into effect on July 1, 2008. The second edition is the product of comprehensive consultation with members and stakeholders. In addition to extensive revisions to ensure the standards of practice remain current, there are new features, among them the Explanatory Note. The Explanatory Note explicitly states that the standards of practice are applicable to the full range of social work and social service work practice – direct and indirect practice and clinical and non-clinical interventions.

Since social work and social service work practice covers a wide spectrum, the definition of “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 or social service 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 or social service work services, (as described in the scopes of practice)”¹ In defining the client or client system it is advisable to ask: “To whom do I have an obligation in respect to the services I am providing?”² Though specific issues may differ depending on who the client is, the core principles remain the same, including that regardless of the nature of the services provided, “College members are in a position of power and responsibility to all clients”.³

For example, according to Principle VII, Advertising, College members may advertise their services in a variety of ways. However, there are certain restrictions, including the requirement that the advertisements “do not include

any endorsements or testimonials”.⁴ This applies whether the service being advertised is individual psychotherapy or, for example, consulting to an organization around team-building. Why is this? Testimonials typically use superlative language and are unsubstantiated claims. They are intended to influence a choice, which may or may not be appropriate for the client’s needs. Because there is a power imbalance between the member and the client, testimonials also have the potential to negatively impact the relationship between the College member and the client who provides the testimonial and/or put the client at risk.

The core principle that “College members are in a position of power and responsibility to all clients” also informs the standards regarding Principle V, Confidentiality and Principle IV, the Social Work and Social Service Work Record. Obligations to clients extend beyond the termination of services, for example, with respect to maintaining client confidentiality and ensuring that records are retained, stored, preserved and secured in compliance with applicable privacy and other legislation. Other obligations may also exist. Consider the following:

A social worker in private practice is referred a couple for marital therapy. She sees them each individually for a single session and together for eight sessions. Some nine months following the termination of service, the husband contacts the social worker to request a copy of the record. The social worker learns that the couple has separated, and that there are court proceedings regarding custody of the couple’s three young children. The husband plans to use the record in court to demonstrate that his estranged spouse has been an inadequate parent.

The social worker is in a quandary. She is aware that generally speaking a person has a right of access to his or her record. In addition, interpretation 4.3.4 of the standards of practice states: “When the record includes information that pertains to more than one client, and providing access to a record could therefore mean disclosing information about another person, a College member provides access to information that pertains only to the individual who has requested access unless the other person(s) has consented

to the disclosure of information about the person”. In this situation, with the exception of one individual session, the therapy was conducted as conjoint sessions and was documented as such, meaning that with respect to the record of the joint sessions, it is not possible to provide access to information that pertains only to the husband. Yet the social worker feels responsibility to the wife especially when she learns of the intended use of the information. After careful consideration of the competing issues, the social worker decides to obtain consent from both parties and to release the record of the joint sessions to each of them only if both parties provide such consent.

Members are also encouraged to think beyond the individual client especially when it is clear that individuals in a client’s life have conflicting views. While these individuals may not themselves be clients, they nevertheless may be key players. Consider the following scenario:

A social worker is approached by the friend of an elderly woman to conduct a capacity assessment regarding admission to a long-term care facility. The friend expressed concern that the woman’s capacity to decide where she would live had been unfairly represented and resulted in the woman’s daughter moving her from her own apartment to a nursing home. Although the woman had been diagnosed with Alzheimer’s disease and had previously been found incapable on a number of occasions, the social worker found her to be capable. The woman provided correct answers to the Mini Mental Status Exam, and was well versed in her diagnosis and medications. She expressed anger that her daughter had imposed the move from her own apartment to a nursing home, which necessitated getting rid of her cats which she found very upsetting. She expressed the wish to return to her own apartment. On the basis of the social worker’s evaluation, the woman was released from the nursing home to the care of her friend. Some days later the woman called her daughter, who was vacationing in Florida, confused about where she was living and wondering why her daughter had not visited. Her daughter was understandably angry and upset that she had not been contacted by the social worker to provide input to the assessment, especially in light of the obvious conflict between her mother’s friend and herself. She stated that her mother was aware of her diminishing capacities and had consented both to the move and to finding new homes for her cats.

Although the client’s daughter does not qualify as a “client” as defined in the standards of practice, in such situations, it would be advisable to consider the client system which is defined as “the client and those in the client’s environment who are potentially influential in

contributing to a resolution of the client’s problems”.⁵ It would have been prudent for the social worker to have explored with the client involving her daughter in the assessment process. The daughter’s involvement likely would have provided useful information about the apparent conflict between the client’s friend and daughter and corroborating information to inform the social worker’s assessment. As well, her daughter’s awareness of and involvement in the assessment process likely would have been helpful to the client in the aftermath of the assessment, whether or not she was found to be capable. There is no standard of practice or other requirement that compels a social worker to involve a client’s family in a capacity assessment. In addition, the social worker would have needed to obtain the client’s consent to involve her daughter in the process. Had the client refused this, the social worker then would have needed to determine whether she could competently assess the client’s capacity without input from the daughter. Nevertheless, assuming the client was agreeable to involving her daughter, it likely would have led to a better outcome for the client.

In summary, social workers and social service workers are reminded they are in a position of power and responsibility in regard to all clients; that professional obligations exist for each client in situations where there is more than one client; that obligations extend beyond termination of services; and that including key players in the client’s environment as part of the client system and with the client’s consent, is often helpful.

For more information about the meaning of client and a member’s obligations to clients, please refer to the Code of Ethics and Standards of Practice Handbook, Second Edition 2008.

¹ *OCSWSSW Code of Ethics and Standards of Practice Handbook, Second Edition, Glossary.*

² *Ibid, Explanatory Note.*

³ *Ibid, Principle II, Competence and Integrity, Interpretation 2.2.*

⁴ *Ibid, Principle VII, Interpretation 7.1.4.*

⁵ *The Social Work Dictionary, 4th Edition, Robert L. Barker, NASW Press 1999*