



Ontario College of
Social Workers and
Social Service Workers

Ordre des travailleurs
sociaux et des techniciens
en travail social de l'Ontario

250 Bloor Street E.
Suite 1000
Toronto, ON M4W 1E6

Phone: 416-972-9882
Fax: 416-972-1512
www.ocswssw.org

Pandemic Planning: What are my obligations?
*Considerations for Members of the Ontario College of Social Workers
and Social Service Workers*

Pamela Blake M.S.W., RSW, Deputy Registrar

Introduction:

A pandemic is a worldwide epidemic in which a disease spreads easily and rapidly. An influenza pandemic occurs when an influenza virus changes and becomes a new strain against which people have little or no immunity and this new strain is easily spread from person to person. Influenza pandemics have occurred approximately three times per century. Although there is no way to predict when the next pandemic will occur, many experts believe that it is overdue and planning must take place to deal with such emergency.¹

As we have learned from recent experience with SARS, such emergencies raise a multitude of competing ethical considerations and evoke strong and often conflicting reactions. Members may be unclear about what is expected of them in their professional practice. Whether self-employed or employed by an organization, challenges will arise. The purpose of this article is to assist members in dealing with potential dilemmas that may result from a pandemic outbreak and to clarify their professional responsibility. Members are obliged to practise in accordance with the OCSWSSW Code of Ethics and Standards of Practice, and many of the interpretations therein are relevant to understanding professional obligations during a pandemic. The Standards of Practice set out the minimum standards of professional practice and conduct. They are meant to be applied to members' practice in conjunction with any applicable legislation, and where appropriate, employer policies. This will require the use of professional judgment.²

Responsibility to Clients

With the onset of a pandemic, those employed by an organization may encounter situations in their work place that they believe are incompatible with their professional standards. The following interpretation found in the Standards of Practice, Principle II, Competence and Integrity, should be noted:

"2.2.10 If there is a conflict between College standards of practice and a College member's work environment, the College member's obligation is to the "Ontario College

¹ Registrant Pandemic Planning Kit, College of Physiotherapists of Ontario

² See also "The Importance of Professional Judgment", Practice Notes, www.ocswssw.org

of Social Workers and Social Service Workers Code of Ethics” and the “Standards of Practice Handbook”.³

Due to diminished staff resources during a pandemic, members may be asked by their employer to perform acts that are not described in their scope of practice statement and may be unsure about how to proceed. Generally, as long as a member is entitled by law to perform those acts and is competent to do so s/he may proceed.⁴ A member must keep in mind that s/he is responsible for being aware of the extent and parameters of his or her competence and professional scope of practice and limit his or her practice accordingly.⁵

All members are reminded that in accordance with the OCSWSSW Code of Ethics, maintaining the best interest of the client is the primary professional obligation. Members must consider the possible impact of an interruption of services on both new and existing clients and take appropriate action. Note the following from the Standards of Practice Handbook, Principle III, Responsibility to Clients with respect to providing services to new clients:

Interpretation 3.5:

College members assist potential clients to obtain other services if members are unable or unwilling, for appropriate reasons, to provide the requested professional help.

With respect to providing service to existing clients, the following interpretations are pertinent:

3.1 College members provide clients with accurate and complete information regarding the extent, nature, and limitations of any services available to them.

3.2 College members deliver client services and respond to client queries, concerns, and/or complaints in a timely and reasonable manner.

3.6 College members inform clients of foreseeable risks as well as rights, opportunities, and obligations associated with the provision of professional services.

In addition, interpretation 3.9 states:

College members terminate professional services to clients when such services are no longer required or requested. It is professional misconduct to discontinue professional services that are needed unless:

- i) the client requests discontinuation,
- ii) the client withdraws from the service,
- iii) reasonable efforts are made to arrange alternative or replacement services,
- iv) the client is given a reasonable opportunity to arrange alternative or replacement services, or
- v) continuing to provide the services would place the member at serious risk of harm,

³ See also “Where do I stand: Understanding the Relationship Between the College and Your Employer”, Practice Notes, www.ocswssw.org

⁴ See also “Scope of Practice – Demystified”, OCSWSSW Perspective Fall/Winter 2004/05

⁵ See OCSWSSW Code of Ethics and Standards of Practice, Second Edition, Principle II, Competence and Integrity, interpretation 2.1.1

and in the circumstances described in subparagraph i, ii, iii, or iv, the member makes reasonable efforts to hold a termination session with the client."

Interpretation 3.10 is also relevant:

College members who anticipate the termination or interruption of service to clients notify clients promptly and arrange the termination, transfer, referral, or continuation of service in accordance with clients' needs and preferences.

As well as providing services to clients, where appropriate, members advocate for and/or with clients as stated in interpretation 3.11. Members should consider appropriate advocacy action such as contacting their supervisor or manager, where applicable, or community or government resources to ensure that the impact of a pandemic on services to clients is minimized as much as possible.

Members' Experiences

Dealing with an emergency situation is rarely a neutral topic. Unlike some other types of emergencies, there is a strong likelihood that a pandemic will affect both a member's personal and professional life. Members dealing with their own personal anxieties, health or familial issues should be mindful of how these might intersect with their professional responsibilities. Members employed in organizations will likely also be aware, at least to some extent, of their colleagues' concerns, which may be different from their own. It is also to be expected that usual working relationships will be disrupted with the reassignment of some tasks due to the absence of service providers. As colleagues or members themselves learn new tasks and processes, tensions may rise. Members must ensure that clients are not negatively affected either by their own concerns or by conflict with others in the workplace. The following interpretations found in the Standards of Practice, Principle I, Relationship with Clients are applicable:

1.5 College members are aware of their values, attitudes and needs and how these impact on their professional relationship with clients.

1.6 College members distinguish their needs and interests from those of their clients to ensure that, within professional relationships, clients' needs and interests remain paramount.

Other practice issues may emerge, for example, in regard to confidentiality. Members should refer to the Standards of Practice for guidance as well as other relevant documents, such as the OCSWSSW Privacy Toolkit for Social Workers and Social Service Workers, which is provided to all members and can also be found on the College Website: www.ocswssw.org.

Members should be aware of the acts of professional misconduct defined in section 2 of the Professional Misconduct Regulation made under the *Social Work and Social Service Work Act*. In addition to paragraph 2 – “failing to meet the standards of the profession” – and paragraph 8 – “discontinuing professional services that are needed” unless specific criteria are satisfied (refer to interpretation 3.9 above), the following are defined as acts of professional misconduct:

Paragraph 12 – "Breaching a term of an agreement with a client relating to,

- i. the fees for professional services, or
- ii. professional services for the client."

Paragraph 28. – "Contravening the Act or regulations or by-laws."

Paragraph 29. – "Contravening a federal, provincial or territorial law or a municipal by-law if,

- i. the purpose of the law or by-law is to protect public health, or
- ii. the contravention is relevant to the member's suitability to practise."

Paragraph 36 – "Engaging in conduct or performing an act relevant to the practice of the profession that, having regard to all circumstances, would reasonably be regarded by members as disgraceful, dishonourable or unprofessional."

We can anticipate that dealing with difficult situations that will arise in a pandemic will be, at times, confusing and stressful, and members are urged to utilize the resources available to them. Members are reminded of Principle II, Competence and Integrity, interpretation 2.1.3: "College members maintain current knowledge of policies, legislation, programs and issues related to the community, its institutions and services in their areas of practice." Accordingly, members employed by organizations are encouraged to become familiar with their employer's pandemic plan and expectations of them. These may include activities beyond their professional scope of practice, as previously noted All members should also keep current with the Ontario Health Pandemic Influenza Plan and information and updates provided by the Ministry of Health and Long-Term Care, and consult with supervisors (where applicable) and/or colleagues to help them make sound practice decisions. Members are also encouraged to be aware of their own needs and to develop a network of support for themselves.

The Role of the College

When the Emergency Management Unit of the Ministry of Health and Long-Term Care declares a pandemic outbreak, the Ontario College of Social Workers and Social Service Workers will implement the College's Business Continuity Plan for an influenza pandemic. At that point in time, it may be necessary for the College operations to move to a virtual format. To the extent possible, staff will be available to provide consultation via telephone and email contact and through the College website in order to continue the operation of essential regulatory tasks. The College telephone message and website will provide information on College operations.⁶

⁶ See also The Ontario College of Social Worker and Social Service Workers Pandemic Plan

In summary, an influenza pandemic will confront members with a host of dilemmas. Members are encouraged to be knowledgeable about the standards of practice and their professional obligations; pandemic plans that are relevant to them; as well as ensure they have current information from the Ministry of Health and Long-Term Care. Members are encouraged to carefully consider issues that arise and consult when needed to ensure they make sound and ethical decisions and that clients' needs and interests remain paramount.

***For more information:** Visit the College website at www.ocswssw.org for the Code of Ethics and Standards of Practice Handbook, Second Edition, Practice Notes, Perspective newsletters, PHIPA Toolkit and the College's pandemic plan..*

***Questions?** Contact the College's Professional Practice Department at 416-972-9882 or 1-877-828-9380.*