



# Practice Notes: The Importance of Professional Judgment

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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 Standards of Practice**

As members will know, the Standards of Practice Handbook sets out the minimum standards of professional practice and conduct for members of the Ontario College of Social Workers and Social Service Workers, in accordance with one of the objects of the College as stated in the *Social Work and Social Service Work Act, 1998*: “to establish and enforce professional standards and ethical standards applicable to members of the College.” The Standards of Practice Handbook applies to the breadth and scope of social work practice and social service work practice. It is recognized that throughout the scope of practice for each profession, there are variations in approaches and that members vary their methods in response to the demands of a particular situation. The principles and interpretations contained within the Standards of Practice Handbook prescribe the basis on which professional practice is conducted in a sound and ethical manner.

While the eight principles contain some interpretations that are clear cut and prescriptive, other Interpretations require application using the member’s professional judgment. Members at times lament that “the standards of practice are grey”. Some feel frustrated when the standards of practice do not provide them with specific direction about how to handle a practice dilemma. Others erroneously conclude that if the standards of practice pertaining to a situation are “grey”, then any course of action they take is acceptable or appropriate. In fact, social workers and social service workers frequently encounter situations that are enigmatic and perplexing. In these situations, when there may be not just one, but a number of appropriate

courses of action, it becomes even more critical to use professional judgment in applying the standards of practice, in order to ensure that the steps the member takes are appropriate to the situation. While this may at times be stressful, the use of professional judgment is a vital component of a profession and adds to its richness.

## **Practice Dilemmas**

Members frequently contact the College to discuss thorny issues. Consider the following scenarios:

### *Scenario # 1*

*A social worker, employed by a child welfare agency, lives and works in a community with a population of 7000 people. When she seeks renovation services for her home, she purposely goes outside her community, in an effort to avoid encountering a client or former client. To her dismay, some days after contracting for the home renovation services, she ascertains that the owner of the home renovation company has been assigned to her case load, to investigate allegations of abuse of his 7-year-old daughter. She immediately speaks with her supervisor and requests that the case be referred to another worker in her agency, but remains concerned about other issues and situations that could arise. For example, should she advise the client that she is aware that he has been referred to her employing agency? In addition, she, along with her colleagues, are on-call on a rotating basis. What would she do if this client or family contacted the agency when she was on-call?*

### *Scenario # 2*

*In the course of marital therapy, it comes to light that one member of the couple is verbally, emotionally and physically abusive to his partner. This behaviour is aggravated by his alcohol abuse. When the original contract of eight sessions is completed, with virtually no progress in achieving the couple’s stated goal of improving their relationship, the social worker advises the couple that she has gone as far as she can with treatment. She recommends that the abusive partner seek help for his alcohol abuse and anger management problems. Some weeks later she receives a hostile phone message from him, stating that his partner has left him, and accusing*

*the social worker of destroying his marriage due to her biased and unprofessional conduct. He subsequently leaves several other phone messages and begins sending her emails, with similar content, as well as threats to complain to the College. Shaken by this, the member contemplates informing him that she will take legal action against him if he continues to harass her.*

### Scenario # 3

*A social service worker, employed by a family services agency, notices that a significant number of clients who are referred for individual counselling, are victims of sexual abuse. Aware that there is a lengthy waiting list for individual counselling, she decides that it would be helpful to start a group for victims of sexual abuse. While she has no experience in this area, she has spoken to a colleague who has some experience and would be interested in co-facilitating this group with her. When she proposes the idea to the administrator of the agency in a weekly team meeting, she feels he is dismissive. Feeling strongly that she should advocate on behalf of clients to receive services in a timely way, she plans to outline her concerns and proposal in a letter to the administrator, with a copy to the agency's Board Chair.*

Though very different, these three scenarios have a number of commonalities: There are relevant standards of practice that pertain to each situation. All three scenarios raise ethical issues. However, for each situation there is not a sole clear cut course of action. How does one deal with a dual relationship or conflict of interest? How does one deal with the abusive behaviour of a client or former client? When and how should a member advocate on behalf of a client or clients? To address these, it is necessary to apply the standards of practice using professional judgment. How would you address these scenarios? The following suggestions about the elements of professional judgment may help.

### **What is professional judgment?**

How do we operationalize professional judgment? What is the process that a member goes through to reach a sound practice decision? While there may be some progression through the following elements, the process does not follow a straightforward linear sequence. Likewise the list is not exhaustive – there may be other elements that are important in grappling with a practice dilemma.

### **Appraise**

Assessment skills, and for social workers, diagnostic skills also, are of utmost importance for information-gathering and synthesis. What are the relevant facts of the situation? How can they be understood? Are there competing ethical issues or interests and if so, what are they?

### **Seek information**

What additional information is needed to address the situation? For example, which standards of practice can provide guidance? Is there any applicable legislation that dictates what the member may or must do? Are there organizational policies that relate to the situation?

### **Reflect**

Contemplate all of the information. Generate ideas about alternative courses of action. Consider how each of these would play out. What are possible consequences for each of the players in the situation, including the client or clients, the member, the employer, collateral. Consider short term as well as longer range implications.

### **Consult**

Situations that are complex are also stressful and warrant consultation. This could take place with a manager, supervisor or consultant, a trusted colleague or a member of the team. Some organizations have an ethicist available and at times a legal opinion would be prudent. Members may also contact the College for a practice consultation. The process of “thinking out loud” and of hearing the perspectives of others can help clarify your thinking in order to reach a decision for which you will be responsible. It may also provide some support to you. You must, however, be mindful of client confidentiality and not breach this when consulting.

### **Articulate your rationale**

Ultimately you must make a decision about what next steps to take. It is useful to articulate what factors and alternatives you considered, and ultimately why you went down one path as opposed to another. This will be a useful exercise for the present as well as for the future, in the event that your decision and actions are called into question.

### **Document**

It is useful to document the process that you employed in reaching a decision to demonstrate your awareness of the critical issues and your efforts to arrive at a sound and ethical decision. This may be helpful for a number of reasons, for example: to establish your accountability, to assist other service providers in seeing what options have been considered and either rejected or adopted, and why, and to illustrate for yourself that you have made your best effort to deal with a complex and challenging situation.

### **Final words**

As social workers and social service workers, we frequently encounter complex situations requiring us to make decisions that are not clear cut, in other words, they require us to exercise our professional judgment. A

process of gathering and appraising pertinent information, reflecting, consulting with others and documenting the documenting the process can assist us in making a sound decision and articulating our rationale.

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***Please note that any references to the College's Standards of Practice in this article refer to the first edition of the Standards. The second edition of the Standards of Practice did not come into effect until July 2008.***