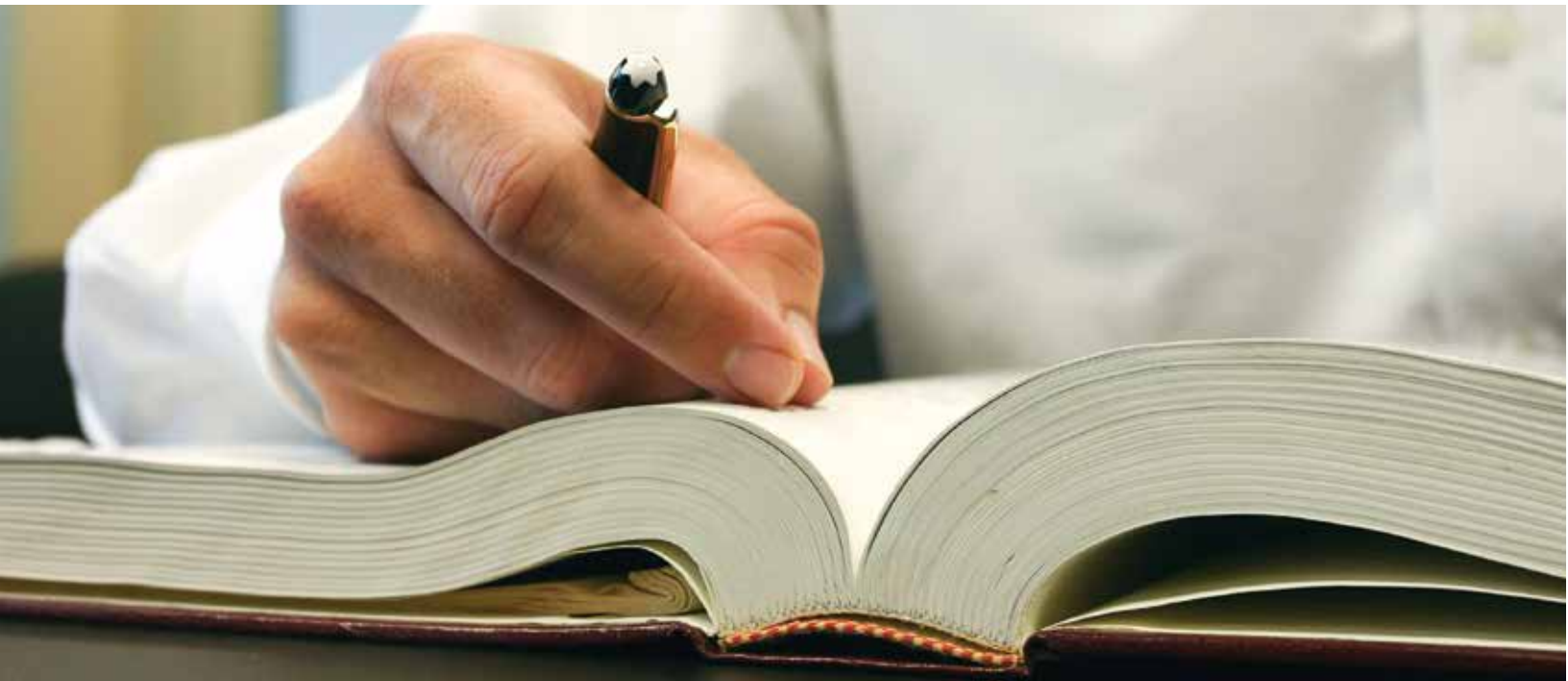




Practice Notes: Dual Relationships: Ensuring Clients' Best Interests Are Paramount

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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 Professional Practice department and 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.

Members often call the College with questions about dual relationships. These are complex situations where a clear direction on how to proceed may not always be evident. It is essential that members consider the standards of practice¹ and apply their professional judgment in these situations to determine a course of action, keeping in mind that the best interests of their clients must be their paramount consideration. Members may be unsure as to whether or not a particular situation constitutes a dual relationship, and why some dual relationships can be problematic and should be avoided. This Practice Note provides an overview of dual relationships and reviews some of the

relevant standards of practice in order to assist members in understanding the potential risks and challenges that they pose.

WHEN IS A DUAL RELATIONSHIP A PROBLEM?

The standards of practice define a dual relationship as “a situation in which a College member, in addition to his/her professional relationship, has one or more other relationships with the client, regardless of whether this occurs prior to, during, or following the provision of professional services”.² They go on to say that “where dual relationships exist, there is a strong potential for conflict of interest and there may be an

¹ The *Code of Ethics and Standards of Practice Handbook, Second Edition, 2008*, sets out the minimum standards of practice for all members of the Ontario College of Social Workers and Social Service Workers.

² *Code of Ethics and Standards of Practice Handbook, Second Edition 2008*, Principle II: Competence and Integrity, Footnote 7



Practice Notes: Dual Relationships: Ensuring Clients' Best Interests Are Paramount

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actual or perceived conflict of interest”.³ Because of this heightened risk, and because members must “not provide a professional service to the client while the member is in a conflict of interest”⁴ members must carefully assess all dual relationships for this potential.⁵ Members must “embark on an evaluation of whether a dual relationship might impair professional judgment or increase the risk of exploitation or harm to clients”.⁶

Although the standards are clear, applying them to practice can be challenging. Consider the following scenario:

A member from a small community, working in a counselling agency, contacted the Professional Practice Department because she was unsure about how to handle a dilemma at work. She explained that in the previous week she had seen a client for an initial counselling session. Although she hadn't recognized the client by name, she quickly realized that she knew her from a community event at which the member had a palm-reading booth. The member explained that she reads palms as a hobby. At the recent event, she had read the client's palm and suggested that she make some life changes as result of what she saw. Although the member recognized that she was dealing with a dual relationship, she was uncomfortable sharing details about her hobby with her supervisor. She had not sought supervision nor had she disclosed any concerns about seeing the client to her supervisor. When the member contacted the College, she revealed that she felt uncomfortable providing services to the client, but wasn't sure how to address the situation.

When clients approach social workers or social service workers for assistance, it is usually at a vulnerable time in their lives. Members must always be aware that they are “in a position of power and responsibility with respect to all clients”.⁷ It is their professional responsibility to “establish and maintain clear and appropriate boundaries in professional relationships for the protection of clients”⁸ and to “distinguish their needs and interests from those of their clients to ensure that, within professional relationships, clients' needs and interests remain paramount”.⁹

When the member spoke to Professional Practice staff, it was evident that she was aware that she was in a dual relationship with her newly referred client. She also realized that given the nature of her prior relationship with the client, it would likely be problematic for her to continue to see her in a professional capacity. During the practice consultation, the member identified some of the ways that the client could be at increased risk of harm because of the dual relationship; for example, the member indicated that she had made comments during the palm reading that could be perceived by the client (or others) as professional advice. If similar issues were to come up in the context of the counselling, the client may become confused about the member's professional role and recommendations. This confusion could be heightened if the member ran into the client in the future, at a similar community event. It must be emphasized that although the member may be clear about the boundary between her palm-reading hobby and her professional role, the client may not be as certain.

During the discussion with Professional Practice staff, the member was also reminded that the standards of practice require members to evaluate “professional relationships... for potential conflicts of interest and seeking consultation to assist in identifying and

3 Ibid., Footnote 7

4 *Code of Ethics and Standards of Practice Handbook, Second Edition 2008*, Principle II: Competence and Integrity, Interpretation 2.2.1

5 Ibid., Footnote 6

6 Ibid., Footnote 7

7 *Code of Ethics and Standards of Practice Handbook, Second Edition 2008*, Principle II: Competence and Integrity, interpretation 2.2

8 Ibid., interpretation 2.2

9 *Code of Ethics and Standards of Practice Handbook, Second Edition 2008*, Principle I: Relationship with Clients, interpretation 1.6



Practice Notes: Dual Relationships: Ensuring Clients' Best Interests Are Paramount

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dealing with such potential conflicts of interest".¹⁰ Supervisors and/or colleagues can provide invaluable assistance in identifying situations in which clients might be at risk and/or a member's professional judgment might be impaired. In fact, the standards of practice state that "College members (must) engage in the process of self review and evaluation of their practice and seek consultation when appropriate".¹¹ The member used good judgment in contacting the College to discuss her dilemma, but she was strongly advised to also involve her supervisor.

Members are responsible to approach all client relationships with a clear understanding of how ethical, professional and accountable practice is incumbent upon them. As illustrated in this scenario, it is the member's responsibility, not the client's, to understand, articulate and define clear boundaries. Reviewing the relevant standards of practice, consulting as appropriate, and applying one's professional judgment will assist members in clarifying boundaries and avoiding problematic dual relationships and situations where confusion about roles may result.

DUAL RELATIONSHIPS AND BLURRED BOUNDARIES

Bringing aspects of one's personal life into the workplace can blur boundaries and create dual relationships which could put clients at risk, as the following scenario illustrates:

A member employed in a small, remote community contacted the College because of a situation that had arisen as a result of his personal involvement in local charity events. The member explained that his volunteerism was well known in the small town where he lives and works and said that he has a great reputation as an active community member. Prior to calling the College, the member had decided to post a sponsorship sign-up sheet for the latest charity

run he was participating in on his door; he also put a donation box for the same event on his desk in his office. According to the member, several clients asked about the sheet and some sponsored him or offered donations. The member did not actively solicit donations. He was shocked when his supervisor told him that one of his clients had asked to be moved to another worker's caseload, saying that she was uncomfortable with being "asked" to give money when she came in for counselling. The member immediately removed the forms and donation box from his office and sought direction from the College to better understand how he could have avoided this unintended situation.

Unlike the member in the previous scenario, this member has (unintentionally) crossed boundaries and created a dual relationship with his clients by bringing his charitable fundraising efforts into the office. The standards of practice state that "boundary violations may include... social and financial violations" and "members are responsible for ensuring that appropriate boundaries are maintained in all aspects of professional relationships".¹² Although it was clear that the member's intentions were altruistic, he had blurred the lines between his professional and personal life. Being asked, even passively, to participate in an aspect of the member's personal life appears to have caused at least one client to feel that she was being pressured to sponsor the member. By posting a sign-up sheet and donation box, the member may have inadvertently caused his clients to feel obligated to donate in order to continue to receive services they need. Those who decide not to contribute may worry that their counselling will be impacted or that the member may look at them differently. While some clients might support the member's efforts, others could be left feeling confused, anxious or uncomfortable.

¹⁰ Ibid., interpretation 2.2.1

¹¹ Ibid., interpretation 2.1.5

¹² Code of Ethics and Standards of Practice Handbook, Second Edition 2008, Principle II: Competence and Integrity, interpretation 2.2



Practice Notes: Dual Relationships: Ensuring Clients' Best Interests Are Paramount

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As discussed in the previous scenario, it is incumbent on the member to ensure that his own interests (even those that are well intentioned and altruistic) do not take precedence over those of his clients. Although the member clearly intended no harm, he must accept responsibility for ensuring that professional boundaries remain intact.

In both of the scenarios described above, neither member intended to harm their clients. Members must be aware, however, that where there is a dual relationship, there is an increased likelihood that a conflict of interest (whether actual or perceived) will arise. At times, it is immediately apparent that a dual relationship is inappropriate; other problematic situations can be more difficult to distinguish. These two scenarios demonstrate how complex this issue can be.

In addition to their professional roles, members play many other roles, as community members, volunteers and members of families, with hobbies, interests and activities outside of their professional lives. At times, especially in smaller communities, dual relationships may be difficult to avoid. However, as the scenarios illustrate, social workers and social service workers can and must avoid those dual relationships that could impair their professional judgment or increase the risk of exploitation or harm to clients.¹³ In order to make this determination, members are advised to:

- Ensure that they regularly review and are familiar with the *Code of Ethics and Standards of Practice*
- Identify potentially risky relationships or situations
- Consider benefits and risks of potential courses of action before proceeding
- Document well and completely the timeline, reasons and rationale for their decision
- Engage in a process of self-reflection, and seek supervision and support
- Keep the best interests of clients as their paramount consideration

CONCLUSION

It is inevitable that members will, from time to time, encounter situations in which there is the potential for a dual relationship with a client. When these situations occur, it is essential that members are able to critically analyze the situation, consider the relevant standards of practice and apply their professional judgment so that they can make decisions that are in the best interests of their client. This article has highlighted some of the important considerations with respect to this issue, in order to provide guidance to members who are struggling with these complex and often difficult situations.

For more information about this or other practice issues, please contact the Professional Practice Department at practice@ocswssw.org

¹³ *Code of Ethics and Standards of Practice Handbook, Second Edition 2008*, Principle II: Competence and Integrity, interpretation 2.2.1