

APPENDIX 1 Confidentiality, Self-Determination & Informed Consent

Introduction

Social workers respect the unique worth and inherent dignity of all people and uphold human rights. To do this social worker uphold each person's right to self-determination consistent with that person's capacity and with the rights of others. Social workers respect the diversity among individuals in Canadian society and the right of individuals to their unique beliefs consistent with the rights of others. With this comes the to respect the client's right to make choices based on voluntary, informed consent. Social Workers who have children as clients determine the child's ability to give consent and where appropriate, explain to the child and to the child's parents/guardians, the nature of the social worker's relationship to the child. It is the responsibility of social workers to uphold the right of society to impose limitations on the self-determination of individuals, when such limitations protect individuals from self-harm and from harming others. In addition, social workers uphold the right of every person to be free from violence and the threat of violence (CASW, 2005).

<http://nscsw.org/practice/standards-of-practice/standard-one/>

Relevant Code of Ethics.

Value 1: Respect for the Inherent Dignity and Worth of Persons

Social work is founded on a long-standing commitment to respect the inherent dignity and individual worth of all persons. When required by law to override a client's wishes social workers take care to use minimum coercion required. Social workers recognize and respect the diversity of Canadian society, taking into account the breadth of differences that exist among individuals, families, groups, and communities. Social workers uphold the human rights of individuals and groups as expressed in The Canadian Charter of Rights and Freedoms (1982) and the United Nations Universal Declaration of Human Rights (1948).

Value 5: Confidentiality in Professional Practice

A cornerstone of professional social work relationships is confidentiality with respect to all matters associated with professional services to clients. Social workers demonstrate respect for the trust and confidence placed in them by clients, communities and other professionals by protecting the privacy of client information and respecting the client's right to control when or whether this information will be shared with third parties. Social workers only disclose confidential information to other parties (including family members) with the informed consent of clients, client's legally authorized representatives or when required by law or court order. The general expectation that social workers will keep information confidential does not apply when disclosure is necessary to prevent serious, foreseeable and imminent harm to a client or others. In all instances, social

workers disclose the least amount of confidential information necessary to achieve the desired purpose.

Concepts Related to Standard

- Identify the limits to confidentiality with the Candidates area of practice.
- Examine the tension between confidentiality and the rights of society in relation to the Candidates areas of practice.
- Demonstrate cultural humility in relations to the Candidates areas of practice and the populations served
- Examine the meaning of self-determination within the Candidates area of practice and the population served.
- Examine the impact of social media and technology on confidentiality
- Identify the limits of confidentiality and self-determination within the Candidates field of practice in relation the rights of others.
- Demonstrate the role of informed consent in relation to confidentiality and self-determination
- Examine the tension between informed consent, the rights of society and capacity of clients.

Activity Examples

1. Through a Collaborative learning exercise share your connections and experiences with the tensions between confidentiality and self-determination and the rights of society and the prevention of self-harm.
2. Read the Article the Eye on Ethics- The Limits of Confidentiality By Frederic Reimer discuss the balance to respect confidentiality with the need to protect others from harm and the role of social work.
3. Examine the discipline hearing from OCSWSSW through an Active learning exercise reflect on both your Candidates and Mentors experience working with Databases and their strengths in terms of supporting self-determination and informed consent and their risks to confidentiality.



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4. Read the Article the Eye on Ethics- the Complexities of Informed Consent. Discuss the role of informed Consent discuss experiences.
5. *Journal Entry or Blog on How the Code of Ethics and Standards of Practice Guide Self-determination, Confidentiality and Informed Consent* The Candidate is asked to prepare a Journal or Blog. It should include: Examine the role that the Code of Ethics and Standards of practice play in informing Code of Ethics and Standards of Practice Guide Self-determination, Confidentiality and Informed Consent. Develop a statement on your understanding of how Code of Ethics and Standards, protects the public.

Resources

1. [NASW ASWB Standards for Technology Social Work Practice](#)
2. [Does Social Work Have the Guts for Social Justice and Reconciliation: Spencer E; Massing, D & Gough, J \(2017\): Social Work Ethics; Progressive, Practical, and Relational Approaches; Oxford Press.](#)
3. [Eye on Ethics -The Limits of Confidentiality By Frederic G. Reamer, PhD Social Work Today -April 14, 2002 2.](#)
4. [Eye on Ethics -The Complexities of Informed Consent by Frederic G. Reamer, PhD Social Work Today August 2003](#)
5. [NASW ASWB Standards for Technology Social Work Practice](#)
6. [Discipline hearing with the OCSWSSW on access to electronic records](#)
7. [How to explain confidentiality: <https://www.youtube.com/watch?v=7HiBNGkXLdc>](#)
8. [The importance of cultural humility: <https://www.youtube.com/watch?v=cVmOXVIF8wc>](#)
9. [Creating a climate for change: <http://www.fnha.ca/Documents/FNHA-Creating-a-Climate-For-Change-Cultural-Humility-Resource-Booklet.pdf>](#)
10. [Cultural humility: <https://www.youtube.com/watch?v=SaSHLbS1V4w>](#)



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