

# **SOCIAL WORKERS REGISTRATION BOARD**

## **Guidelines on Code of Practice for Registered Social Workers**

### **FOREWORD**

The Code of Practice for Registered Social Workers first came into force following its gazettal on 16 October 1998. Subsequently, the Social Workers Registration Board drew up the Guidelines on Code of Practice for Registered Social Workers to help social workers implement and observe the standards laid down in the Code of Practice through better understanding of the provisions and their interpretation.

The Guidelines is not part but a mere reference document of the Code of Practice. The Board will not use it as a basis for determining whether or not a social worker has violated professional conduct. A disciplinary committee, however, may use the Guidelines in ways pertinent and appropriate, which may include analysing the various issues involved in a complaint case. The disciplinary committee will not fetter its discretion by its reference to the Guidelines but will take into account all the facts and circumstances of the case when considering it.

As a disciplinary committee may use the Guidelines as a reference material at a disciplinary hearing, the Board will make necessary arrangements to ensure that all social workers are informed of the latest version of the Guidelines. In this respect, the Board will consult social workers on any proposed amendments to the Guidelines and promulgate the latest version of the document to them through every possible and effective channel.

As the Guidelines is a reference document, it cannot exhaust all possible circumstances or scenarios. Therefore, when providing services, social workers should use the Code of Practice as a guiding principle and the Guidelines as a reference. To provide their clients<sup>(1)</sup> with appropriate and professional service, social workers should keep abreast of the laws of Hong Kong which may be amended from time to time. They should also, in the light of the circumstances, make professional and responsible judgments after striking a balance between the interests of clients<sup>(2)</sup> and the rights of their significant others, including other family members, the agency, the community and the society at large.

# **PRINCIPLES AND PRACTICES**

## **Related to Clients**

### **Responsibility**

**1**     *Social workers have a primary responsibility to clients.*

### **Guidelines**

- 1.1     The interests of clients are of paramount importance unless the safety and rights of others would be jeopardized.
- 1.2     Social workers should provide services to their clients within their competence, based on their education, training, supervised experience, and relevant professional knowledge and skills.
  - 1.2.1     When experimenting new techniques and methods is required, social workers should inform their clients, obtain clients' consent, and secure endorsement from their supervisors and agencies. Even if social workers have obtained consent from their clients, the interests of clients cannot be compromised in any circumstances.
  - 1.2.2     Social workers should make appropriate referral if their clients' problems are beyond social workers' competence, or the agency's resources or scope of service.
  - 1.2.3     In the case where there is an emergency, even if the service requested is beyond the agency's scope of service, social workers should attend to the cases, provide immediate as well as necessary services and make referrals as and when necessary.
- 1.3     Social workers should refrain from providing services to clients when social workers are aware of their personal factors and value conflict that may lead to inappropriate or inadequate service or that may cause harm to clients.
- 1.4     Social workers should avoid as far as possible relationships and/or commitments that may conflict with the interests of clients. If a conflict of interest is likely or unavoidable, social workers should as far as possible declare and make such conflict of interests known to clients and inform clients of their rights to terminate the service or to request for transfer.

- 1.5 In the case where there is a change of post or job, or termination of service, social workers should, except under unusual circumstances or situations beyond their control, make proper arrangement for the preparation of clients and the handing-over of the work to another colleague, carefully consider possible negative factors in the situation and minimize possible adverse effects.

### **Cultural Awareness**

- 2 *Social workers should recognise the ethnic and cultural diversity of the communities being served.*
- 3 *Social workers should be acquainted with and sensitive to the cultures of clients and appreciate the differences among them in respect of their ethnicity, national origin, religion and custom.*

### **Informed Decision and Self-determination**

- 4 *Social workers acknowledge a responsibility to inform clients of their rights and help them to obtain appropriate services. Clients should also be informed of, as far as possible, obligations and possible consequences associated with services provided to them.*

### **Guidelines**

- 4.1 Social workers should as far as possible inform clients of their rights, obligations, opportunities and risks associated with the service delivered to them at the initial stage in a manner appropriate to clients' background and ability.
  - 4.1.1 Social workers should not knowingly withhold information or give false information and as a result, clients are deprived of their fair share of benefits entitled and may make a major decision without being aware of the impact of the result.
- 4.2 Social workers should duly inform clients of workers' names, positions, roles, and the status as registered social workers.
- 4.3 Social workers should inform clients of the channels for them to make complaints. They should not deter clients from lodging complaints against them with the employing agency or other authorities.
- 5 *Social workers should clearly inform clients, who are using services under compulsion, of their rights as well as the limits of their rights and assist them in*

*attaining as much autonomy as possible.*

- 6** *Taking into account the limit of clients' rights to self-determination, social workers should encourage clients to participate as far as possible in decision-making about the goals, alternatives and services available to them.*

#### **Guidelines**

- 6.1 Social workers should make reasonable effort to foster self-determination and autonomy on the part of clients. For small children or people who are mentally incapacitated, social workers should respect their rights and their ability in making choices related to their own interests.

#### **Use of Information and Principles of Confidentiality**

- 7** *Social workers should respect clients' right to privacy and confidentiality of their information, subject to other statutory requirements including, in particular the Personal Data (Privacy) Ordinance (Cap.486). They should also, as far as possible, fully inform clients of the limits of confidentiality in a given situation, the purpose for which information is obtained, and how it may be used.*

#### **Guidelines**

- 7.1 Social workers employed in a particular social welfare agency are agents of the agency to provide services to clients. Unless social workers are assigned to handle a particular case or to assist (including supervising) other colleagues to handle that particular case, social workers have no right of access to that client's case file.
- 7.2 Sharing of information with other colleagues should be purposeful, for example, to solicit advice and support from colleagues about a case. In conferences within an agency, information sharing should be purposeful and relevant to professional exchange.
- 7.3 When it is necessary for other non-professional colleagues (e.g. typist) to have access to confidential information, social workers should take reasonable steps to keep them informed of the need of confidentiality of the information they may acquire. If social workers view that this principle is not complied with, they should take appropriate action to prevent recurrence of such an event. Social workers should be alert and, if and when necessary, remind colleagues to avoid disclosing confidential information.
- 7.4 In circumstances where there is sufficient ground that there is a real, imminent,

and serious threat to the safety or interests of clients or of others who may be affected by clients' behavior, social workers should take necessary steps to inform appropriate third parties even without the prior consent of clients. If in doubt, it would be prudent to seek advice from relevant parties, for example, experienced colleagues and professional associations. Whether social workers should alert clients about going beyond the limits of confidentiality depends on the judgment of any reasonable person on whether the threat may exacerbate.

- 7.5 Seeking information from other people who know clients may reveal that clients are currently receiving service from social workers. Unless in compliance with the relevant Data Protection Principles of the Personal Data (Privacy) Ordinance (Cap. 486), social workers should obtain the informed consent of clients before making such contacts.
- 7.6 Clients have the right to know about the information that is related to them and stored in their own case files. They also have the right of access to the information provided by them or the information consequential to the information they have provided, for example, opinions of social workers, diagnosis, treatment plan and so forth. Information obtained from other sources, or the information consequential thereto, should also be accessible by clients and consent of clients has to be sought before the relevant contacts are made, subject to other statutory requirements including, in particular the Personal Data (Privacy) Ordinance (Cap. 486). The access of clients to such information may only be limited in the circumstances where there is sufficient evidence that the safety or interests of clients or concerned persons will be jeopardized. If the guardians of clients wish to obtain information on clients, they must first seek the consent of clients. At the same time, social workers must make a judgment as to whether or not clients are capable of making an appropriate decision and whether or not the decision so made is in the interests of clients.
- 7.7 In any circumstances, social workers should not continue to keep under personal possession files or information on ex-clients on any records in any form of storage.
- 8 ***In disclosing case materials, social workers should make necessary and responsible efforts to remove all identifying information and to seek consent, as far as possible, from the client and the relevant agency.***

## **Guidelines**

- 8.1 All identifiable information of clients (e.g. name, address, name of school or work place etc.) should not be provided in any form of communication except

for transferring cases or case referrals.

- 8.2 Informed consent has to be obtained from clients and the employing agency for the release of clients' information. If social workers are of the view that clients are not capable of making an appropriate decision, informed consent from clients' guardians should be obtained. Social workers should make reasonable efforts to remove any information contained in the case material that may reveal the identity of clients to someone who is casually related to clients (for example, neighbours, workmates, school teachers, etc.). If personal information of clients is to be disclosed, social workers should obtain clients' prior consent and assess whether clients are able to estimate the consequences of the decision so made.
- 9** *Social workers should take precautions to ensure and maintain the confidentiality of information transmitted to other parties through the use of electronic media. Disclosure of identifying information should be avoided whenever possible.*
- 10** *Social workers should inform clients of the limitation and risks associated with such services provided via electronic media.*
- 11** *Social workers should not discuss confidential information in any setting unless privacy can be ensured.*

#### **Guidelines**

- 11.1 Social workers should not discuss confidential information in public areas.
- 11.2 Social workers have a duty to warn their clients of the risks and possible consequences if clients ignore their advice and discuss the cases in public.
- 12** *Social workers should protect the confidentiality of clients during legal proceedings to the extent permitted by law.*

#### **Guidelines**

- 12.1 Subject to other statutory requirements including, in particular the Personal Data (Privacy) Ordinance (Cap. 486), should social workers receive a request from the police to provide personal information about their clients, social workers should first seek the consent of clients. When necessary, social workers should make a professional judgment as to whether or not the provision of the information would jeopardise the personal safety or interests of clients or other people. If the police hold a search warrant, social workers should cooperate with the police and provide information that is basic and

necessary, or, if and as necessary, seek prompt legal advice, for example, on whether to file an application for setting aside the warrant without unlawfully obstructing its execution.

- 12.2 Subject to other statutory requirements including, in particular the Persona Data (Privacy) Ordinance (Cap. 486), when a court of law or a legally authorized body orders a social worker to disclose confidential or privileged information without the client's consent and such disclosure may cause harm to the client, the social worker should request or apply to the court or the legally authorized body to withdraw the order, to limit the order as narrowly as possible, or to maintain the records under seal and unavailable for public inspection.

### **Conflicts of Interest**

- 13 *Social workers should not abuse the worker-client relationship in pursuit of personal interests.*

#### **Guidelines**

- 13.1 Social workers should terminate service to and professional relationships with clients when such service and relationships are no longer required or no longer serve clients' needs or interests.
- 13.2 Social workers should not exploit professional relationships with clients for monetary gain.
- 13.3 Social workers should not use the professional relationship to pursue political interests.
  - 13.3.1 Social workers should not influence clients to vote for them or for a particular candidate/political party of their own political affiliation.
  - 13.3.2 Social workers should take steps to ensure as far as possible that their employing agency adopts non-discriminative policies and procedures in accepting sponsorship, services or assistance from politicians or political parties.
  - 13.3.3 Social workers should not use their relationship with clients to enlist their help as volunteers in political election campaigns for them or for their own political affiliation.
- 13.4 To protect clients' benefit, social workers should consider withdrawing from the situation and arrange alternative services if there is conflict of interests.

13.4.1 Social workers should make arrangements to transfer clients to another worker when they find there are signs of transference and counter-transference, which are likely to hinder the delivery of the service or damage the working relationship.

13.4.2 Social workers should avoid as far as possible to provide service to people that have prior or existing intimate, familial, personal, business or political relationship with them.

### **Sexual Relationship**

**14** *Social workers should under no circumstances be engaged in any sexual activities or sexual contacts with clients, whether such activities or contacts are consensual or forced.*

### **Guidelines**

14.1 Social workers should not have sexual intercourse with their clients.

14.2 Social workers should not caress or stimulate the sexual organs of their clients by any means.

14.3 In cases where social workers, in discharging their professional duties, need to inspect the private parts of their clients, the presence of a third party should be arranged by the concerned agency.

**15** *Social workers should not provide clinical services to individuals with whom they have had a prior sexual relationship.*

### **Continuation of Service**

**16** *If and when a fee for service is required, social workers should ensure that clients would not be denied timely services they need because of financial constraints.*

### **Guidelines**

16.1 Social workers should take steps as far as possible to ensure that their employing agency establishes an alternative funding or waiving policy and has the policy and procedure in place for reviewing the charge for any service that is beyond the reasonable means of the target clients.

16.2 In cases where individual clients have difficulties to pay, social workers should



assess the cases concerned and as far as possible seek approval of their employing agency to waive the service charge or explore alternative funding for clients as appropriate.

- 16.3 For those clients who indicate their inability to pay, social workers should assess the urgency of clients' need for service. If there is an urgent need for the service, social workers should attend to clients and provide the service as far as possible. If there is no urgent need for the service, social workers should provide information on appropriate services and relevant resources or make necessary referrals.

### **Billing Practice**

- 17 *Social workers should establish and maintain billing practices that accurately reflect the nature and extent of services provided. Those being engaged in private or independent practice should also enable such billing practices to identify who has provided the service in the practice setting.*
- 18 *Social workers should clearly inform clients of all fee rates and charges before services are delivered.*

## **Related to Colleagues**

### **Respect**

- 19 *Social workers should pay due respect to different opinions and practices of other social workers, other professionals and volunteers. Any suggestion or criticism should be expressed and conflicts resolved in a responsible manner.*

### **Guidelines**

- 19.1 In case where there are differences in opinions between social workers and other social workers, professionals or volunteers in dealing with specific practice related to clients, social workers should take steps to share their views and attempt to resolve the conflict with the individuals, organizations, and other relevant parties concerned before expressing criticisms in public.
- 19.2 Social workers should avoid as far as possible criticizing other social workers, professionals and volunteers in front of clients. They may express different opinions, but not criticizing the opinions, practices and personal character of other social workers, professionals and volunteers who are serving the same clients.

- 19.3 Personal attack, which may include but is not limited to the use of vulgar language and insulting remarks directed towards an individual's personality and integrity, should not be made against other social workers, professionals and volunteers. Criticism should be based on actual event and action.

### **Interdisciplinary Collaboration**

- 20 *Social workers should discharge duties and treat co-workers, irrespective of which organizations they are from, in a fair and professional manner.*
- 21 *Social workers should collaborate as far as possible with other social workers and colleagues from other disciplines to enhance service effectiveness.*

### **Guidelines**

- 21.1 Social workers should readily share knowledge, skills, and experience with other social workers with the objective of enhancing professional interests, concerns, and service effectiveness.
- 21.2 When dealing with the same clients, social workers should, where appropriate, share relevant information and coordinate plans and actions with other social workers (whether or not of the same agency) to serve the needs and interests of clients.
- 22 *Social workers who are members of an interdisciplinary team should participate in and contribute to decisions that affect the well-being of clients by drawing on the perspectives, values, and experiences of the social work profession. They should induce and help the interdisciplinary team as far as possible to clearly define the professional and ethical obligations of the team as a whole and of individual team-members.*
- 23 *Social workers on whom a team decision raises ethical concerns should attempt to resolve the disagreement through appropriate channels. If the disagreement cannot be resolved, social workers should pursue other appropriate avenues to address their concerns consistent with clients' well-being.*

### **Supervision and Training**

- 24 *Social workers, who provide supervision or professional consultation, should possess and maintain necessary knowledge, skills and methodology through*

*appropriate education, training, consultation and research to facilitate them to perform the tasks in professional supervision and training competently. Social workers should provide training or instructions only within their areas of knowledge or competence.*

- 25 *Social workers who provide supervision should recognise a supervisor's educational, supportive, developmental and work-focused role and should not abuse the professional relationship with supervisees for any interests.*
- 26 *Social workers who provide supervision should monitor their supervisees to act in accordance with this Code of Practice.*

### **Consultation**

- 27 *Social workers should seek the advice and counsel from colleagues whenever such consultation is in the best interests of clients.*
- 28 *Social workers should seek consultation only from colleagues who have demonstrated knowledge, expertise, and competence related to the subject of the consultation.*
- 29 *Social workers, for the purpose of consulting with colleagues about clients, should provide information on clients on a need-to-know basis.*

### **Clients' Right of Choice**

- 30 *Social workers respect clients' right of choice. With due respect to other agencies and colleagues, they should not solicit clients of other social workers.*

### **Guidelines**

- 30.1 Social workers should not solicit clients of other social workers by persuading clients to leave the service being rendered by other social workers. If social workers believe, in good faith, that the said service will lead to disadvantage or disservice to the client, workers should express concern according to the guidelines set forth under clause 21 of the section of "Related to Colleagues".

### **Communications between Co-workers**

- 31 *Without the explicit permission of the author of the communications between co-workers, social workers should not convey to clients any contents of such communications that are beyond the scope of clients' personal*

*particulars.*

### **Sexual Relationship**

- 32 *Social workers who function as supervisors or educators should not be engaged in any sexual activities or sexual contacts with supervisees, students or trainees over whom social workers exercises professional authority.*

### **Related to Agency**

- 33 *Social workers should be responsible to the employing agency for the efficient and effective performance of professional duties.*

### **Guidelines**

- 33.1 Social workers should draw to the attention of the employing agency when they view that the policies, rules and regulations of the agency are undermining the efficiency and effectiveness of the service, or jeopardizing the interest of clients.
- 34 *Social workers should act constructively and responsibly to influence and to improve policies, procedures, and practice of their employing agencies in order to continuously improve the quality of service and to prevent social workers from violating this Code of Practice when enforcing agency policies.*

### **Guidelines**

- 34.1 Social workers should give constructive comments, feedback and suggestions to their employing agencies to uphold social work values and clients' rights.
- 34.2 Social workers should alert their employing agencies of any possible violation of the professional code of practice and related legislation.
- 34.3 If inappropriate practices by the employing agencies still persist and the interests of clients are put at risk despite social workers' efforts to give feedback to the agencies, social workers should bring the matters to the attention of an appropriate body (such as the Social Workers Registration Board).
- 35 *Social workers should make clear in any public statements or when undertaking public activities whether they are acting in a personal capacity*

*or on behalf of a group or an organization.*

### **Guidelines**

- 35.1 In expressing personal views or undertaking action in personal capacity, social workers should avoid using any identity or documentation associated with the employing agency and affiliated group unless consent from the said party has been obtained.
- 36 *Social workers should not use institutional affiliation to recruit clients for private practice without the consent of the institution.*

## **Related to Profession**

### **Professional Responsibilities**

- 37 *Social workers should maintain honesty, integrity and responsibility in professional practice.*

### **Guidelines**

- 37.1 When performing their duties, social workers should be free from the influence of drugs and alcohol.
- 37.2 Social workers should inform concerned parties of all necessary details of the situation without withholding important information, falsifying or selectively presenting information to purposely deceive or mislead the parties concerned to make uninformed decisions.
- 37.3 In case of conflict of interests or conflict of roles, social workers should withdraw from the professional relationship or remove the source of conflict before continuing their professional engagement.
- 37.4 In cases where there are differences in opinions within a professional context, social workers should focus the debate, if any, on the facts and views on the issue concerned.
- 38 *Social workers should uphold the values and ethics, and advance the knowledge of the profession.*

### **Guidelines**

- 38.1 Social workers should consciously and critically examine the value base and ethical standard of their practice to see whether such base and standard are consistent with those of the profession. In such examination, social workers should identify and attempt to overcome any personal or organizational barriers and explore ways to bring about the realization of social work values and ethics.
- 38.2 Social workers should as far as possible contribute to the generation of knowledge from their practice experience through professional exchanges.
- 39 *Social workers should bring to the attention of appropriate bodies any violation of this Code of Practice that may put the interests of clients at risk, and should be ready to defend other social workers against unjust accusations.***

### **Guidelines**

- 39.1 Social workers should not knowingly withhold information concerning malpractice by other social workers when called upon to give information at any inquiry on malpractice. Social workers should report only those facts that are known to them personally.
- 39.2 Social workers should as far as possible report facts known to them when being called upon to give information in defence of other social workers against unjust accusations.
- 39.3 Social workers should bring the malpractice by other social workers to the attention of appropriate bodies such as Social Workers Registration Board, or the relevant agencies which are in a position to stop such malpractice.

### **Competence**

- 40 *Social workers should provide services and represent themselves as competent only within the boundaries of their education, training, license, certification, professional consultation, supervised experience, or other relevant professional experience.***
- 41 *Social workers should provide services in substantive areas or use intervention techniques or approaches that are new to them only after being engaged in appropriate studies, training, professional consultation, and supervision by people who are competent in those interventions or techniques.***
- 42 *When generally recognised standards do not exist with respect to an emerging area of practice, social workers should exercise careful judgment***

*and take responsible steps, including appropriate education, research, training, professional consultation, and supervision, to ensure the competence in their work and to protect clients from harm.*

### **Respect**

**43** *In criticizing the profession, social workers should do so in a responsible and constructive manner.*

### **Guidelines**

43.1 Social workers should refrain from criticizing the profession without solid ground.

43.2 Social workers should perceive making constructive suggestions and ideas as part of their professional obligation.

### **Representation**

**44** *Social workers should make no misrepresentation or false claim as to personal particulars, professional qualifications, credentials, education, competence, nature of service, and method of service or results to be achieved.*

### **Guidelines**

44.1 Social workers should give accurate information of their personal particulars and professional qualifications. Professional qualifications in this context refer to those conferred by academic institutions and professional bodies. Social workers should also readily provide documentary evidence of being registered if required.

44.2 When promoting the service, social workers should refrain from claiming results which have not been properly researched.

44.3 Social workers should explain clearly and accurately the nature of service and method of service provided.

### **Independent Practice**

**45** *Social workers who are engaged in private or independent practice should practise only within their areas of competence and offer suitable referrals when clients' needs go beyond their areas of competence. Any publicity on their practice should be made based on the actual qualifications, experience*

*and expertise.*

### **Professional Development**

**46** *Social workers should accept responsibility for upgrading their professional skills and knowledge.*

#### **Guidelines**

46.1 Social workers are recommended to attend professional enhancement activities of not less than 20 hours a year aiming at upgrading their professional skills and knowledge. Professional enhancement activities may include training courses/ programmes, talks, conferences, seminars, forums, workshops and other related activities.

**47** *Social workers should take responsibility to help those who are entering the profession to establish, strengthen and develop their ethics, values, skills and knowledge.*

#### **Guidelines**

47.1 Social workers should as far as possible be ready to give information and advice in response to the enquiries of their new colleagues.

### **Call to Duty**

**48** *Social workers should respond to calls to duty<sup>(3)</sup> when an explicit request is made and when a call is made specifically for social workers on the spot to render certain service under specific circumstances.*

#### **Guidelines**

48.1 When social workers are called to duty, they should render assistance subject to their professional competence, and the stipulations of the Code of Practice for Registered Social Workers and the Guidelines on Code of Practice for Registered Social Workers.

## **Related to Society**

**49** *Social workers recognise the need to bring to the attention of policy makers or the general public any policies, procedures or activities of governments, societies or agencies which create, contribute to, or militate against the relief*



*of hardship and suffering.*

### **Guidelines**

49.1 Social workers should as far as possible refrain from hindering the dissemination of such information to the attention of policy makers or the general public.

**50** *Social workers recognise the need to advocate changes in the formulation of policies and legislation to improve social conditions, to promote social justice and general welfare of the society. Social workers also recognise the need to contribute to the implementation of policies for human welfare and should not allow one's knowledge, skills or experience to be used to further unjust policies or inhuman practices.*

**51** *Social workers recognise the need to prevent and eliminate discrimination, and the need to strive for a more reasonable distribution of resources and to ensure that all persons should have equal opportunity to access to the necessary resources and services.*

**52** *Social workers recognise the need to promote conditions that encourage respect for diversity of cultures in the society.*

**53** *Social workers recognise the need to encourage informed participation by the public in formulating and developing social policies and institutions.*

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### **Notes**

(1) *“Clients” refers to direct service recipients currently receiving individual, group services or programme activities provided by social workers.*

(2) *“Interest of clients” – Social workers should make professional judgment after considering and striking a balance among the interests of clients and other related bodies (including family members, agency, community and society, etc.).*

(3) *“Call to duty” in this context is not applicable to calls made through mass media to social workers at large.*

*(Remark: Chinese version prevails over English version if there is any discrepancy.)*

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