Values and Ethics

Improving the protection and wellbeing of children in Europe: enhancing the curriculum
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## Plan for the Session

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“Value” means good, desirable by society, while

“Ethical” means: a correct and fair behaviour, unconditioned by favors or disfavors or immediate personal profit
Ethical behaviour is achieved by the social worker:

- Has selected knowledge in the function of the clients
- Has sophisticated skills at intervening in vulnerable client’s behaviour
- Is able to judge and reflect constantly during intervention
- Is civilized and humanitarian enough to respect the dignity and freedom of the client
- Has the strength to intervene
- Takes responsibility for authoritarian behaviour
- Is able to respect himself/herself and others in his/her job so that he/she encourages faith in community related to psychological and social services
Code of Ethics

• Many associations of social workers have their own code of ethics, which includes a set of principles that guide a social worker on how to manage problems at work. Some of them deal with reliability issues, respect for the individual, his/her beliefs and conflicts of interest. This code is a startup which provides the basis for specific standards of practice.

• Code of ethics of Social Worker in Albania is an initial document trying to guarantee standards of professional service in providing social services. Efforts are being made to understand codes of ethics of large psychologists’ and social workers’ organizations worldwide.

• Also, there is the international code of ethics of social workers, ratified in several countries. Albania doesn’t have one yet. Albanian social workers refer to the international code.
Steps of ethical decision-making

• Decision-making, whether critic or intuitive, seems to follow a number of well-defined steps. It aims at accomplishing full management of the case:

• a) Ethical decision-making begins with increasing sensitivity to moral dimension of the service.

• b) Identification of the problems, from the sort of assumptions to clarification of the fundamental problem of the client.

• c) Identification of the potentially involved issues in the situation

• d) Identification of moral principles that can compete or compromise meanwhile judgement.

• e) Reflection on situation’s lack of clarity.

• f) It is necessary to consult colleagues, knowing their perspective

• g) Investigation of all behavioural opportunities

• h) Evidencing probable consequences is another important issue.

• i) Finally, decision is made with the least harm and the most profit for the client.
Features of the NASW Code

- Six Core Values & Ethical Principles
  - Service
  - Social Justice
  - Dignity & Worth of the Person
  - Importance of Human Relationships
  - Integrity
  - Competence

- 155 Standards
  - Organized by responsibilities to clients, colleagues, practice settings, as professionals, to the profession, to society

- Not hierarchical
Kitchener (1984) describes a model of evaluation of counselling situation called “a critic model”. He emphasizes that, beside the principles of the code of professional behaviour, morale and virtues play a major role in decision-making. This model is based in the following moral principles:

- Client’s independence
- Profit
- No maltreatment
- Being always fair
Ethical Action or Reaction?

Relationship between stakeholders characterized by respect, care, empathy and warmth:

- it is important and sufficient to bring positive changes for the client
- It is important but insufficient to bring changes for the client
- It is neither important, nor sufficient to bring positive changes for the client.
Inventory of initial beliefs

• For each of the following statements, mark your viewpoint:
• When the child comes to counselling, the counsellor has a legal and ethical obligation to provide parents with any necessary information about their child when they ask?
• If the counselling is provided at school, the school directory must be informed about the counselling results?
• Children are entitled the right to require psychological counselling related to pregnancy and abortion without permission or knowledge from their parents?
• Teachers are informed on the test results that the social worker carries out with children at school?
• Smoking and alcohol are not prohibited as long as adults have unlimited access to its use?
• Use and abuse with alcohol and smoking have not a clear-cut boundary between them. The counsellor is responsible for reporting their abuse by children?
• It is necessary for the counsellor who works with children and teens?
• Law on the protection of children's rights from abuse has effects of abuse prevention?
• Education of children with and about their rights is more important than many programs for their protection?
• Professionals are penalized if they do not report child abuse?
• When it comes to protect children from abuse, it is likely that what is legal might not be ethical?
The right to treatment

For the child to take part in the interview/counselling, parent’s or caretaker’s consent is legally required. Only through it children can relate to professionals of psychological and social care.

- Article 3, no.3 of Law for Protection of children’s rights, act 18/2017 literally states as follows:

- 13. “Participation of the child” is a continuous process of active child involvement and respecting their right to express and be heard at all levels decision-making on issues related to him/her.

If we refer to the guidebook for the protection of children, it is recommended:

- “Interviews/consultations with children must be carried out with the consent of parents/caregivers and the child must be able to give his/her consent”. This article openly requires involvement of parents in counselling.

- If we refer to Act 18/Article 15 it literally says: Accomplishment and protection of child’s protection is based on these principles:
General principles

Accomplishment and protection of children’s rights is based on these principles:

• The child is entitled the rights and these are universal, unchangeable, inseparable, interdependent and progressive.
• The greatest interest of the child is a primary consideration in every action related to the child.
• Equity and non-discrimination.
• Primary responsibility of the parent or caregiver to provide living conditions, to guarantee upbringing, development, wellbeing and education for the child.
• Sharing responsibilities among parents or caregivers, governmental and societal authorities for child protection.
• Every child must live and grow up in an adequate family environment and separating the child from the family must be considered as an end solution.
• Service decentralization which provides child protection, inter-sectorial intervention and partnership between public and non-public authorized institutions.
• Provision of personalized and specialized services for every child.
• Respecting dignity, honour and personality of the child.
• Participation, listening to and respecting child’s opinions, compliant with his/her age and ability to understand.
• Guaranteeing stability and sustainability for child’s care, upbringing and education, taking into consideration child’s ethnic, religious, cultural and linguistic background.
There are cases when children come to social service workers or public services in municipality, school, without their parents or legal caregivers knowing about. Depending on the visible maturity, social worker must give them the opportunity to discuss about any concern that made them make contact.

Accept of children in interviews/social and psychological counselling is encouraged when they are expected to bring about concerns mainly related to them, growing up, control of birth, abortion, substance abuse and other conflict issues among them, conflicts with parents, age crises and management. For the status of service without parents, we refer to article 12 and 13 in act 18/2017 Law for protection of children’s rights as follows:
When?

- Children in counselling can be given several rights directly. Children who are 12 years old can ask for confidential counselling if they meet such criteria as:
  - Children must be mature enough to take part intelligently in psychological treatment and evaluation for this is done by the counsellor.
  - Children carry a risk of serious physical or mental damage to themselves or others, or are probable victims of incest or abuse.
In such circumstances, minors can receive counselling without adults’ presence or consent. The reason why children and teens are allowed to ask for necessary treatment at certain times and situations, will be hurt. There is evidence that teens who ask for help independently, otherwise would not do this if privacy was not guaranteed. This is especially true for conflicts in the family, psychological and physical abuse, drug and alcohol abuse, counselling about pregnancy, abortion, etc. therefore, ethical counsellor always verifies the possibility of child hurting.
Why?

• Those who deal with issues whether minors should be accepted as clients without their parents’/caregivers’ consent must take into consideration other factors as well. They must pay attention to the following:

• Abilities of the child
How?

- Competencies of the child
- Is the child able to be independent?
- What are the potential risks and consequences if treatment is denied?
- Is the child able to get permission from parents?
- How serious is the presented problem?
- What are the legal obligations if counselling is to be given without parents’ consent?
Ethical issues of informed consent

Beside the increase of interest in children’s rights in general, recently a great attention has been given even to the issues related to the children’s right to give informed consent. There are ethical practices which have legal support to give more and more rights to children and teens to decide on informed consent. In everyday practice of interviewing and consulting, some legal and ethical issues that social workers face with children and teens are:

- Can children give their consent without approval from their parents?
- Can children be treated without their parents knowing?
- To what grade is their consent taken into account to achieve the intended purpose?
- What are the limits of confidentiality when counselling children?
- How is informed consent converted into contract when working with children?
- What is the shape of the contract when working with children?
Types of informed consent

• Verbal informing

• In many practices, documenting is only verbal, since it is believed that formalization of relations through written papers creates a distance between the social worker and the client, or it can be used against the social worker in the court by the client.

• Written informing

• Use of forms can be another alternative apart from verbal informing.

• The form can include all of some of the following items:

  • Date of discussing consent
  • Name of social worker and client
  • Probable benefits and the inherent risk in counselling
  • Confidentiality issues, privileges and limits
  • A declaration which states that the client understood what was told
  • A declaration which states the client’s right to withdraw from treatment
  • Client’s signature

• Interactive informing

• Interactive informing can be a type of informed consent for counselling. This type is superior to verbal and interactive informing. It serves better to the client’s right to refuse counselling, give time to understand it, is readable and encourages discussions about counselling, service, etc.
COMPETENCIES OF ETHICAL TREATMENT OF CHILDREN

Usually, in the case of keeping confidentiality or services, social worker faces several ethical dilemmas.

- How does he/she protect the client?
- When is confidentiality broken?
- When is feedback given?
- What is to be done when child’s parents or caregivers ask for information?
- What are the expected behaviours of child’s parents or caregivers?
Sources:

• Ethics in counselling; Dhamo, M
• Introduction to social work; Dragoti, E.
• Ethical Issues in the practice of Child Psychotherapy; Glenn, C.M 1990
• Law for protection of children’s rights, law 18/2017
• Family code
• Penal procedure code
• Convention of UN for “children’s rights”