

# Behavioral Ethics

A Lens to Examine Ethical Challenges  
in  
Social Work Practice

Out beyond ideas of right and  
wrong there is a field...I will meet  
you there. Rumi



# Ethics and Social Work Practice

Ethical lapses happen for social workers in all practice settings.

## National Practitioner Data Bank:

- 591 adverse actions reported against U.S. social workers in 2013 – many of which were serious ethical violations resulting in state sanctions.
- But only 4 reported malpractice payments in 2013, 6 in 2012 where social workers were defendants.
- Safe practice requires constant vigilance.

# Social Work Ethics

Professional standards for social work ethics: NASW Code (2008)

- Core Values & Ethical Principles + 155 Ethical Standards
- Provides a way to analyze ethical issues
- Identifies clear ethical guidelines in specific standards

Reamer's recent review of the developments in social work ethics:

- Increasing sophistication in social work ethics

“Mastery of these subjects requires in-depth and sustained education and training. Superficial knowledge will not suffice”  
(2014, p. 176).

# Social Work Ethics Training

## Social Work Ethical Approaches:

### Social workers must:

1. recognize ethical dilemmas
2. manage personal values
3. apply ethical guidelines in NASW Code of Ethics
4. identify/analyze ethical matters and
5. decide on behavior consistent with professional standards

What is missing? Why does unethical conduct persist?

Social Work's approach to training insufficiently examines the underlying psychological processes that can lead to unethical actions.

# Steps in Ethical Analysis

- Step 1: Identify the problem.
- Step 2: Identify the potential issues involved.
- Step 3: Review relevant ethical guidelines.
- Step 4: Know relevant laws and regulations.
- Step 5: Obtain Consultation.

# Steps in Ethical Analysis

- Step 6: Consider possible and probable courses of action.
- Step 7: List the consequences of the probable courses of action.
- Step 8: Decide on what appears to be the best course of action.

# Behavioral Ethics

New area of scholarship emerging from:

- Cognitive psychology
- Business/Management

Focus is on how individuals are likely to behave in a situation that involves a conflict between duties or conflicting rights...Not on the ethical correctness of the behavior (Folger, et al 2013)



# Behavioral Ethics

Focuses on underlying psychological processes

We see ourselves as moral individuals

- We predict we will behave ethically.
  - But we don't always!

Post-Incident

- Self-evaluation reinforces belief that we acted ethically.
  - Reality often tells different story!

# Moral Disengagement

- Individuals often engage in unethical behavior with little pre-act cognition about the moral considerations involved (Martin, Kish-Gebhart, & Detert, 2014).
- Blind spots can emerge
- Professionals often minimize nature of the discretion
  - We perceive no real harm to anyone from the action

# Bandura's Moral Disengagement Theory

- People generally act consistent with internal standards of morality
- Experience anticipatory negative emotions when they consider deviating from these norms:
  - Guilt
  - Shame
  - Remorse
- Cognitive distortions allow individuals to morally disengage
- Some of these are internal – reasoning
- Some are situational or contextual – pressure, climate

# Behavioral Ethics: Cognitive Processes

## Ethical Fading:

- a process of moral disengagement
- So focused on other aspects of the decision – do not immediately recognize ethical dimensions of the situation
- the moral question fades as the situation is framed by the professional
- Morally defensible rationale maybe constructed to explain a behavior that was unethical – the “yes, but” defense.

# Behavioral Ethics: Cognitive Processes

## Rationalizations:

- Judgments about what is in the client's best interests
- Judgments about what is in program's best interests: For example: Manipulating outcome statistics – continued funding
- Client circumstances/organizational contexts may lead to rationalizations

# Examples: Rationalizations & Justifications

- Just doing what I'm told, following orders
- I'm doing what is best for the client, even if he doesn't realize it
- No harm will be done to anyone by this action
- Everyone else does the same thing

# Behavioral Ethics: Cognitive Processes

Factors that can influence rational thinking:

- Motivation to please authority
- Confirmation bias – seeing what we expect to see
- Conformity bias – acting consistent with the group
- Framing – positioning the situation to avoid ethical issue
- Incrementalism or the slippery slope
- Goals, outcomes prioritized: VA example

# Ethical Infrastructure: Macro conditions

- Ethical climate or culture: organizational members' shared **perceptions** about the environmental views, attitudes, values related to ethical behavior.
- Ethical Infrastructure (Tenbrunsel & Smith-Crowe, 2008)
  - Informal systems: shared understandings about propriety of actions, priority of decision-making, expressed through interpersonal relationships.
  - Formal systems: procedures and supervision, management structures
  - Organizational Climate: how is this perceived by insiders?



# Relationship of Internal (personal) and External (organizational) Factors

- Perception about the organizational values related to ethical practice
- Infrastructure supporting ethical climate
- Level of trust in the work environment
- Culture of consultation and collaboration

# Culture of Self-Interest v. Welfare of the Group

- Goals and incentives associated with productivity, outcomes, grant specifications, etc. – personal gain from outcomes
- Incentives to question policies and procedures, rules and practices
- But even the best ethical climate is not sufficient to eliminate ethical lapses emerging from personal motivations or blind spots.

# Case Examples

Cases and underlying ethical/legal issues are organized around NASW Code of Ethics Core Values

# Core Value 1: Service

Social workers primary goal is to help people in need and to address social problems.

Social workers elevate service to others above self-interest.

# Value of Service

## **Common Ethical Issues**

- Conflict of interest
- Misuse of discretionary power and authority of social workers

## **Cognitive process**

- Framing may influence how the worker thinks about the issue

## **Legal risk**

- Liability for allowing client to self-determine: Retrospective analysis looks bad for the agency/worker after harm has occurred.

# Case Vignette 1: Judy & Marcos

Marcos: 35 Puerto Rican

- Diagnosis - schizophrenia, paranoid type, w/ history of violence

Judy: mental health case manager

- Recent MSW graduate – in position 3 mo.
- *Marcos is refusing to take medication despite a history of rapid symptom increase when he stops taking medication.*
- *Issue: To what extent should a case manager exert pressure on a client re: a decision that all agree is beneficial but client does not agree to? How should a social worker handle situations when a client's decision is contrary to supervisor direction?*

## Core Value 2: Social Justice

- commitment to serve vulnerable populations
- support and facilitate empowerment in populations - historic oppression
- to counter biases and discrimination
- enhance the understanding of cultural factors influencing client situations.

# Social Justice

## **Ethical Issues:**

- Advocacy
- Informed consent

**Cognitive process:** Situation may be perceived & facts viewed in a way to support a strongly held belief of the worker – confirmation bias

**Legal risks:** Class action suits that do not help the immediate needs of the named plaintiff, settlement issues



# Case Vignette 2: Dan & Maya

- Dan: experienced case manager juvenile justice program
- Maya: 15 year old pregnant Latina adolescent
- Dan is asked by an advocacy group to identify a model client so the group can bring a class action lawsuit against the local school district.
- Issue: Should a social worker encourage a client to participate in a lawsuit that might change a system even if it might not prove helpful for the client in the short term?
  - What is the scope of a social worker's duty to work for systems change?

# Core Value 3

## Importance of Human Relationships

Social workers understand the importance of human relationships

“purposeful” in the “effort to promote, restore, maintain, and enhance the well-being of individuals...”

# Human Relationships

## **Ethical Issues:**

- Relationships - status & power
- Boundaries - current & past clients

## **Cognitive Process:**

- Incrementalism risk where self-disclosure turns to using clients to get our own help

**Legal Risks:** Impaired worker creates unsafe situation in group; member relapses & sues

# Case Vignette 3: Joanna & Sal

Joanna: Case manager for community-based agency  
Facilitating recovery group; she is in recovery herself.

Sal: Program supervisor

Joanna struggling with recovery, self-discloses in group;  
Sal removes Joanna from group leadership role.

Issue:

To what extent does social worker self-disclosures  
enhance a therapeutic relationship? When does a  
boundary crossing become a boundary violation?

# Core Value 4

## Dignity & Worth of the Person

Social workers treat each person in a caring and respectful fashion.

Enhance clients' capacity and opportunity to change and to address their own needs

Social workers promote and respect self-determination

# Dignity & Worth of Person

## **Ethical Issues**

- Coercion in managed care, using authority to direct clients
- Cultural humility: responding to client situation from perspective of privilege

**Cognitive Process:** Worker wanting to please supervisor, acceding authority and judgment.  
Substituting judgment - client

**Legal Risks:** Social work documentation can lead to legal sanctions against clients; In testimony, bias, expertise questioned

# Case Vignette 4: Ray & Penny

Penny: mother of 3: Protective services referral

Ray: MSW 2<sup>nd</sup> yr. intern at CPS assigned to the investigation

Penny meeting all expectations, about to have her case closed. Fails drug test: marijuana. Ray's supervisor recommends drug treatment program for Penny.

Issue: How should we evaluate the ethical behavior of a social worker in a system that uses authority and power to coerce clients into services that are inconsistent with the assessed need?

# Core Value 5: Integrity

Social workers behave in trustworthy manner and promote ethical practices within their organizations.

- honest in their practice
- competent
- accurate documentation.



# Integrity

## **Ethical Issues:**

- When decisions prioritize program needs, client needs can be sacrificed
- Diagnosis as means of accessing services

## **Cognitive Process:**

- Conformity bias: going along with everyone else in the office

## **Legal Risks:**

- Criminal fraud - falsifying documentation
- Over/under diagnosing
- Contract violations/Restitution

# Case Vignette 5: Elisa & Tasha

Elisa, new case manager: Concerned about documenting to comply with expectations

Tasha, program supervisor

As part of its contract with the state, the mental health program is supposed to provide an appointment the same day for crisis referrals, within 3 days for urgent cases, and within 14 days for routine referrals.

Issue: Is it an ethical violation for a worker to comply with agency expectations for documentation in order to meet funding requirements if the record is untrue?

# Core Value 6: Competence

Requires social workers to practice within their areas of competence.

Supports professional development to consistently enhance one's competence, and also to be trained in models of practice that are evidence-based.

# Competence

## **Ethical Issues:**

- Practicing beyond one's competence, education, experience
- Standard of care: what is expected of professional, generally accepted practices

**Cognitive Process:** Framing of issue in such a way as to miss underlying ethical dilemma

**Legal Risks:** Malpractice for exceeding the scope of practice, causing harm

# Case Vignette 6: Ruth & Justine

Ruth: experienced BSW level case manager

Justine: 93 year old client with some dementia, recently diagnosed with aggressive form of cancer. Seeking to end her life

Issue: Should a case manager agree to provide counseling services to a client who requires a clinical evaluation but refuses to see anyone else but that worker?

# What can Social Work Learn from Behavioral Ethics?

- Social workers can reduce ethical lapses by recognizing common cognitive processes that reduce their ability to identify significant moral issues in practice.
- Social workers must attend to the cognitive processes that can create blind spots where the ethical implications of actions are missed.
- Agency administrators and supervisors need to create increased *ethical capital* in organizations through proactive leadership,
  - agency-wide forums, ethics consultation, internal review boards, targeted training, and attentive supervision to support ethically aware practitioners.
- Social work educators need to pursue scholarship in behavioral ethics and cognitive processes, applying this research to social work practice and exploring new ways to teach social work students based on this research.

# Question & Answer Period

# References/Reading List

- Bazerman, M. H., & Tenbrunsel, A. E. (2011). *Blind spots: Why we fail to do what's right and what to do about it*. Princeton, NJ: Princeton University Press.
- Folger, R., Ganegoda, D. B., Rice, D. B., Taylor, R., & Wo, D. XH. (2013). Bounded autonomy and behavioral ethics: Deonance and reactance as competing motives. *Human Relations*, 66, 905-924.
- Martin, S. R., Kish-Gebhart, J. J., & Detert, J. R. (2014). Blind forces: Ethical infrastructures and moral disengagement in organizations. *Organizational Psychology Review*, 4, 295-325.
- Reamer, F. G. (2014). The evolution of social work ethics: Bearing Witness. *Advances in Social Work*, 15, 163-181.
- Stahl, Anne L. National Practitioner Data Bank. Location by Action Year. Generated using the Data Analysis Tool at <http://www.npdb.hrsa.gov/analysistool>. Jan 31, 2015.
- Tenbrunsel, A. E., Smith-Crowe, K. (2008). Ethical decision-making: Where we've been and where we're going. *Academy of Management Annals*, 2, 545-607.