

Self Employment / Private Practice

Business considerations

An increasing number of social workers in Australia are now working as self employed social workers. Many social workers who are self employed and work in a clinical capacity have been assessed and approved by the AASW as *Accredited Mental Health Social Workers* (AMHSWs). The AASW encourages social workers who intend to work as self employed clinicians to apply for accreditation as a mental health social worker. AMHSWs are able to apply through Medicare for a provider number which enables them to see private clients under several government funded programs.

More information about becoming Accredited as a Mental Health Social Worker can be accessed via the following link:

<https://www.aasw.asn.au/practitioner-resources/mental-health>

There are several practical tasks and areas of consideration for social workers when setting up as self employed practitioners. Some of these include:

1. apply for an ABN
<https://abr.gov.au/For-Business,-Super-funds---Charities/Applying-for-an-ABN/Apply-for-an-ABN/>
2. Obtain the advice of an accountant as to the best structure for the business e.g.: as a sole trader or company
3. Ensure coverage by an adequate insurance policy (5.5.3 g). AASW members receive professional indemnity and public liability insurance as part of their membership for 'social work activities'. Please refer to section 7 of this document on page 3 for more information.
4. Choose suitable practice premises. E.g. as a sole practitioner, in a GP clinic or in a group practice with other allied health practitioners.
5. Develop a marketing plan – what is the referral pathway? How will clients be referred? Will the practice be promoted? How will this be done – brochures, meeting face to face, and phone calls?
6. Highlight specialist expertise that may provide a 'niche' market.
7. When setting fees, factor in cost of other activities such as:
 - Supervision
 - Professional development activities
 - Missed appointments
 - Room rental and related costs
 - Report writing time
 - Telephone / travel

Ethical and Practice Considerations

As well as business considerations, there are also many **ethical and practice considerations** for social workers when setting up and working in a private capacity. Social workers must ensure that all aspects of their business and practice are grounded in the ethical principles as outlined in the *Code of Ethics* (2010). Aspects of practice to be particularly mindful of include the following:

Client Records

Self employed social workers should:

- Record information about their involvement with clients impartially and accurately (5.2.5 of the *Code of Ethics*).
- Develop and implement their own policies and procedures around the recording of client information
- Decide whether to keep records electronically or in hard copy.
- Ensure that the records kept, whether electronic or hand written, are stored securely - in a locked filing cabinet for handwritten case notes or on a secure computer server.
- Ensure they are aware of legislation with respect to keeping client records. The current standard in the absence of relevant legislation is that *client records should be kept and stored securely for a period of 7 years (Practice Standards 2013 7.2d, e)*

Social workers should discuss with clients, prior to the first formal session, their policies and procedures regarding case records including:

- How and for how long it will be stored
- who will have access to it
- the client's right to access their information and the process to do so,
- In what instances others may have access to their client record (by way of court subpoena or if the client is referred to another practitioner).

Self employed social workers should also consider what will happen to their client records in the event that they become incapacitated, pass away, retire or close their private practice. Refer to the ethics and practice guideline *Information Management* for more information. <http://www.aasw.asn.au/practitioner-resources/ethics-and-practice-guidelines>

Boundaries around professional relationships

There are particular professional boundary considerations for self employed social workers. The relationship with clients may be more direct and therefore clients may interpret or perceive the relationship as more personal than a relationship with an agency employed social worker. If the social worker works from their home, clients may have an even greater inclination to perceive the relationship as more personal. Refer to section 5.1.6 as well as the ethics and practice guidelines on *Professional boundaries and dual relationships* and *Email, text and mobile phone use (as part of the social media E&P guidelines)*.

<http://www.aasw.asn.au/practitioner-resources/ethics-and-practice-guidelines>

Client confidentiality and privacy

Self employed social workers should be particularly vigilant around issues of client confidentiality and privacy with respect to records, client's physical access to the service and the nature of the premises (see below). Self employed social workers should be aware of relevant legislation with respect to confidentiality and privacy and any limits to confidentiality. They should ensure this is understood by clients and is clearly stated in the initial contract/consent documentation (5.2.4b). Refer to the ethics and practice guideline on *Information Management* for more information. <http://www.aasw.asn.au/practitioner-resources/ethics-and-practice-guidelines>

Practice Premises

Social workers who see clients in their own practice premises should consider the following:

- That the practice offers privacy and confidentiality for clients including appropriate waiting space
- That clients can access the premises easily
- That the practice is safe and secure for clients and for staff (5.5.3 j)
- Ensure a window of time between appointments to avoid client cross over.
- Client's privacy if they operate their practice out of their home and have any family members or others present during working hours.

Fee Schedules

Self employed social workers need to decide upon the fees that they will charge clients. The AASW has a schedule of recommended fees which can be found via the following link:

<https://www.aasw.asn.au/document/item/8385>

It is important for social workers to discuss with clients at the outset of the professional relationship:

- the fees they will pay per session
- what these fees are for
- what services or activities would be considered additional to what is included in these fees
- How any additional services/work will be charged? (For example, if a social worker is requested by a solicitor/client to prepare a report for a court matter the social worker may need to charge to compensate for this additional time).

Section 5.5.3 a) states: *Social workers will advise clients regarding fee schedules and any costs before commencing professional service and charge only for hours and services contracted within them.*

It is also important for social workers to be upfront with clients around the estimated financial cost for the client, based on cost per session over likely time frame of the intervention/service. In other words, it is important for social workers to obtain 'Informed financial consent' from clients. This does not need to be an inflexible agreement, for example the estimated time of involvement may be less or more, however, it is important to ensure that clients are clear around what a twelve week block of therapy, for example, will cost. If an indefinite arrangement, there could be an issue of 'over-servicing' and a client could, unconsciously end up paying large amounts of money for therapy they may not have required. To avoid this, regular reviews of services provided are encouraged.

Ensuring needs of clients are met

If a self employed social worker establishes either on referral or during the professional relationship that the client's needs are beyond the social worker's level of expertise or experience, it is the social worker's responsibility to ensure:

- this is discussed with the client
- the client's wishes and needs are taken into account,
- an appropriate referral to a more suitable service/practitioner. Section 5.5.3 c) states that *social workers will arrange for appropriate temporary or substitute service for clients when unavailable or unable to continue practice* and section 5.5.3 d) states that *Social workers will inform clients and offer suitable referral when clients' needs fall outside the practitioner's area of expertise or ability to provide the services/resources.*

Insurance

One of the benefits of membership with the AASW is the receipt of professional indemnity and public liability insurance which is of particular benefit to self employed social workers. If self employed, it is imperative that social workers are covered by an appropriate professional indemnity and public liability insurance policy. See section 5.5.3 g) which states that *social workers will maintain adequate professional indemnity and public liability insurance coverage as protection for clients.*

It is important to note that the member insurance policy will only cover members if they are conducting *social work activities*. Counselling/therapy services and more traditional forms of practice would, in most instances, be considered *social work activities* however social workers are increasingly engaging in less traditional self-employment endeavours such as consultancy or alternative therapies for example. AASW membership does not guarantee that all private work is covered under the member insurance policy.

Please read the **important insurance information** below to assist you in making the decision whether or not to opt out of the AASW insurance coverage: <http://www.aasw.asn.au/document/item/7367>

If in doubt about whether you are conducting a *social work activity* please contact the AASW's National Ethics and Practice Standards Officer on (03) 9320 1044 to discuss.

Client referral process and considerations

Social workers should ensure that their referral pathways are set up in an appropriate, professional and ethical manner. The *Code* specifies that *Social workers will not solicit the clients of either their colleagues or their place of employment for private practice* (5.5.3 e).

If dually self-employed and employed part-time by an organisation in a similar role, consider potential conflicts of interest issues associated with referrals. Similarly, while it may make sense for social workers to continue working with clients if they leave their place of employment for private practice and have a positive working relationship with the client, social workers should reflect on the following ethical considerations:

- Benefitting or perceived to be benefiting financially from clients or from a place of current or former employment
- Setting up potential client dependency or notion that the social worker is the only one who can 'help' the client

Self employed social workers should also be cautious when accepting referrals for relationship counselling and for multiple clients with pre-existing relationships (such as family members). Issues may arise for social workers if relationships break down or if there are tensions between related clients. Self employed social workers should ensure that they contract clearly with clients in these instances, particularly around record keeping, confidentiality, informed consent and what particular responsibilities a social worker would have to both/all clients if a legal process were to ensue. Conflicts of interest may also arise for social workers when working with related clients either individually or together through group/couple therapy (5.1.7 h).

Supervision

Social workers who work privately may not have the same day to day access to colleagues, managers and others to discuss challenging issues therefore it is imperative that self employed social workers engage in regular supervision.

The Ethics and Practice Standards Consultation Service (<http://www.aasw.asn.au/practitioner-resources/ethics-and-practice-standards-consultation-service/ethics-consultation-service>) is a free service for AASW members which assists social workers to process ethical dilemmas and ethical and practice issues. While use of this service should not replace regular formal supervision, it may be particularly useful for self employed social workers.

Scope of appropriate services for self employed social workers

Not all types of service provision and interventions are appropriate for social workers working in a private/sole capacity. For example, it would not be appropriate for individual social workers to provide crisis services or intense case management services. It is also important for social workers in self employment to consider each case individually and decide on the appropriateness of accepting a referral based on the client's needs and the social worker's level of expertise (see section 5.1.5 b and section 5.5.3 d of the *Code of Ethics* 2010). For example, a client with a complex mental health issue as well as a drug or alcohol related issue might be best being referred to an agency that have a team of professionals specialising in various different issues. Similarly, if a social worker received a referral where there were particular issues of risk; e.g. child protection, family violence; it may not be appropriate or safe to accept such referrals. The social worker might need to refer to a specialist agency with statutory authority and who might be better placed and resourced to deal with these particular issues.

References

Australian Tax Office
<https://www.ato.gov.au>, retrieved 24 May 2016