

## *Using client information for research and educative purposes*

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This Ethical Guideline should be considered in addition to the information contained in the Ethical Guideline on 'Information Management'.

Social workers will promote the ethical values and standards of the profession when undertaking broader types of service such as administration, policy development, education and research (Section 5.1.4c Code of Ethics 2010).

#### **I am considering or engaged in research that utilises client information. What additional ethical and legal issues are relevant to research data collection, storage and use?**

In addition to giving due consideration to the issues outlined in the 'Information Management' FAQ, Social workers engaged in research that utilises client information should:

- Ensure the interests of research participants are placed above the Social Worker's personal or professional interests (5.5.2.2 a). What this means is that a social worker should place the wellbeing of the people they are going to be interviewing above their own needs to obtain research outcomes, complete a piece of research by a deadline, or interview vulnerable people regardless of possible risks.
- Carefully consider possible consequences of proposed research or evaluation on participants (5.5.2.2 b). The social worker should question what the consequences could be, for example in relation to provision of ongoing services.
- Give due regard to maintaining the confidentiality, privacy and dignity of participants (5.5.2.2 c, h). The social worker should take care when working with small populations or 'elite' groups where assurances of anonymity may be more difficult.
- Ensure that prospective participants understand the nature of the research, their role and any associated risks (5.5.2.2 d). Informed consent processes that go beyond a signature on a form may be warranted in cases where literacy, competency or language arises as issues.
- Only collect and utilise data from clients who are voluntary participants and who have given their written informed consent (5.5.2.2 d)
- Carefully consider the process of voluntary consent in situations where the participant is:
  - a child or young person
  - a person with a mental or intellectual impairment

- a person who is highly dependent on medical care
- a person in a dependent or unequal relationship with the Social Work researcher (5.5.2.2 e)
- Ensure that consent is given without coercion or inferred advantage or disadvantage resulting from participation (5.5.2.2 f). Social workers need to make sure that any incentives offered to people to participate in research are not coercive, for example, offering money to homeless people; hinting that access to a service might be curtailed if a person does not participate.
- Participants are aware of their rights regarding withdrawal from the research (5.5.2.2 f). Social workers should also take care to specify that if an interview has already taken place, an anonymous survey has been completed, or a person has been involved in a focus group, that their contributions may not be able to be withdrawn from the data if that data has already been de-identified.
- Reasons for withdrawal are noted and given general consideration in relation to research design or methodology (5.5.2.2 f)
- Where appropriate, research proposals are submitted to an ethics committee (5.5.2.2 i). In many cases, established research ethics committees are in place within larger organizations. Social workers should be familiar with any ethics requirements and ensure that they follow these processes.
- Results aimed at quality improvement are restricted to the organisation or agency for which the research was undertaken (5.5.2.2 i)
- Records are retained, stored and managed according to professional, organisational and legal requirements (5.5.2.2 j). These requirements will generally form part of ethics approval. It is important that secure storage for computer systems holding research data is observed.

### **I am a university lecturer and considering using case examples from my previous work in direct practice as part of my lecture material. What do I need to consider?**

In addition to giving due consideration to the issues outlined in the 'Information Management' FAQ, Social workers engaged in research that utilises client information should:

- Ensure the interests of research participants are placed above the Social Worker's personal or professional interests (5.5.2.2 a). What this means is that a social worker should place the wellbeing of the people they are going to be interviewing above their own needs to obtain research outcomes, complete a piece of research by a deadline, or interview vulnerable people regardless of possible risks.
- Carefully consider possible consequences of proposed research or evaluation on participants (5.5.2.2 b). The social worker should question what the consequences could be, for example in relation to provision of ongoing services.
- Give due regard to maintaining the confidentiality, privacy and dignity of participants (5.5.2.2 c, h). The social worker should take care when working with small populations or 'elite' groups where assurances of anonymity may be more difficult.
- Ensure that prospective participants understand the nature of the research, their role and any associated risks (5.5.2.2 d). Informed consent processes that go beyond a signature on a form may be warranted in cases where literacy, competency or language arise as issues.

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- Are not coercive, for example, offering money to homeless people; hinting that access to a service might be curtailed if a person does not participate.
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### **Do the same ethical principles apply if I am using information about previous/current workplaces and colleagues in a teaching capacity?**

It may be useful for social work educators to provide students/recipients of training with real life examples of different organisational structures or cultures that the social worker has experienced to highlight any challenges social workers may come across in different workplace environments.

It is equally as important, that the confidences of previous work environments, situations, organisations and colleagues are protected if using such information in an educative capacity, the same as when using client information in this context.

If highlighting a particularly unhealthy, poorly structured or unsupportive organisation or a healthy, well structured, supportive organisation in a teaching capacity, it would be vital that social workers ensure the anonymity of organisations, the same way as they would if presenting information on clients. It would be important to remember that it would not be sufficient, in ensuring the organisation is fully de-identified, to simply change the name or omit the name of the organisation from the presentation. It may still be possible for the audience to recognise the organisation based on other descriptors.

The social worker would need to be clear about the educative/training purpose of using such information, and separate this from any personal cathartic/reflective process that should be conducted in a forum such as professional supervision or consultation.

*Social workers seek to ensure that their professional relationships in these areas (Education, training, supervision and evaluation) are constructive and non-exploitative (section 5.5.1 b).*

Likewise, if a social work educator/trainer was to present information on another professional's conduct as a means of demonstrating poor/unethical practice, the social worker must ensure that any information that could be identifying in any way is either changed or omitted to ensure that the professional's confidences are fully protected. Again, the social worker would need to be clear that the use of such information has a clear educative purpose and rationale and that the social worker is not misusing such a forum for their own personal benefit. The *Code of Ethics (2010)* states:

*Any criticism of colleagues' practice or behaviour must be defensible and should be dealt with in a professional manner (section 5.3g).*

Social workers should be careful, when discussing conduct/viewpoints/practice techniques of other professions in an educative forum, that they do not unjustly criticise or make disparaging remarks about other professions. This may indicate to the audience that all professionals from the particular discipline are incompetent or unethical, for example, which may negatively impact on their future professional relationships with colleagues. If a social work educator has a personal view/experience about another discipline's practice principles or an individual's conduct from another discipline, this should be kept separate to any educative forum. For example, if a social work educator came into conflict with a Psychologist in a previous role around a practice method, it would not be appropriate to portray to the audience that all psychologists are difficult to work with nor to highlight any personal experiences with particular professionals from other disciplines. Rather, the social worker might highlight that it can be difficult when working in multidisciplinary teams when there are differences of opinion between disciplines.

Social workers will relate to both social work colleagues and colleagues from other disciplines with respect, integrity and courtesy, seeking to understand the differences in viewpoints and practice. (Section 5.3b)

The social worker should then offer their audience different strategies and mechanisms for dealing with potential conflict with other disciplines.

**I am presenting at a conference and want to bring together a panel of people with lived experience of mental illness to tell their stories and respond to questions. Is this ethical and what do I need to consider?**

It is often very useful to bring the voices of clients and those with personal experiences of social issues to the fore in an educational way through workshops, conferences or lectures at universities where the clients are physically present.

The social worker would need to provide a clear rationale for the inclusion and participation of people with lived experiences to participate in the educative forum and ensure that these potential participants are not exploited in the interest of the educational forum or in the personal or business interests of the presenter.

*Social workers will ensure that professional relationships are not exploited to gain personal, material or financial advantage (Section 5.1.6i).*

The social worker would need to keep the best interests of the invited presenters to the fore, which may include provision of support and debriefing later in the event of challenging questions or comments that may lead to later distress.

*Social workers should always maintain the best interests of clients as a priority, with due regard to the respective interests of others (Section 5.2.1a.)*

The social worker would need to make a careful assessment, in consultation with others; of the risks and potential harmful consequences to each individual they are asking to attend the educational forum as well as carefully assess each individual's capacity to comprehend and fully understand any potential risks or impacts. In some instances it may be unsafe, unethical and potentially damaging to some individuals to participate in such forums, even if they agree to do so.

The social worker would need to provide a brief to each potential participant about the purpose of their participation, what is being asked of them, who will be in the audience and whether or not the audience will have the opportunity to ask questions. The social worker should also discuss with the client if the presentation will be recorded and if so, where this will be disseminated. This should all be provided to potential invitees in written form if possible, and written informed consent obtained - providing this is possible.

*Social workers will ensure as far as possible, that clients understand the principle of informed consent and the circumstances in which it may be required (Section 5.2.3 a).*

If there are literacy, competency or language issues or the client has a physical impairment (such as blindness) impacting on their ability to provide written informed consent, the social worker would need to consider alternative means of ensuring informed consent has been provided.

The social worker would also need to brief the audience around the participation of people with lived experience in the forum. The boundaries around audience interaction (asking questions and initiating discussion) with invited guests should be clearly outlined. The social worker may have to consider obtaining formal acknowledgment from the audience that they understand and agree to these boundaries.

Another scenario to consider would be an instance where someone in the audience knows of or has some kind of current/prior relationship with an individual who has been asked to the forum. This should be discussed with the invited participants with the opportunity for them to withdraw consent at any time if there are any factors which will impact on them as a result of being present at this forum.

Social workers should confront the inclusion of people with lived experience into educative forums with caution. While it may assist in adding richness and 'real life' flavour to educative forums, social workers must surrender this if any risks and potential harm to participants are identified.

### **Ethics and Practice Standards Consultation Service**

If you have any further questions relating to mandatory reporting, contact the Ethics and Practice Standards Consultation Service on 03 9320 1044 or [ethicsconsult@asw.asn.au](mailto:ethicsconsult@asw.asn.au)