



**AASW**  
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**Australian Association  
of Social Workers**

# *Information for complainants regarding serious ethical professional misconduct*

**September 2018**

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## ***Australian Association of Social Workers Code of Ethics***

The Code of Ethics is the core document which informs and guides the ethical practice of the social work profession in Australia. Members undertake to abide by the required standards which are reflected in the Code of Ethics. Beyond these required standards, the Code of Ethics also guides social workers in best practice and ethical conduct, so that they strive to attain the highest possible professional standards of ethical practice. The AASW offers related resources to further educate and support social workers to help to ensure that their practice meets the minimum standards, and where possible meets optimal standards.

To this end, the AASW intends that the Code of Ethics:

- Sets out the values which underpin ethical social work practice
- Sets the standard for ethical social work conduct and accountable service delivery
- Provide social workers with a foundation for ethical reflection and decision making

The Code of Ethics is the professional standard for the consideration of allegations of serious ethical professional misconduct by AASW member social workers.

## ***Purpose of AASW Ethics Complaints Management Process (ECMP)***

The purpose of the AASW Ethics Complaints Management Process (ECMP) is to maintain minimum acceptable ethical practice standards of social workers, and to record appropriate disapproval if these standards are not met. The AASW is concerned, and takes such matters seriously, when a social worker's conduct or practice potentially falls significantly below the minimum required standard.

**The AASW can only take action in respect of the AASW membership of a social worker if allegations of serious ethical professional misconduct are inquired into and found to be established.**

The primary purpose of the AASW's Ethics Complaints Management Process (ECMP) is to:

1. Receive, consider and make decisions on complaints of serious ethical professional misconduct
2. Consider appropriate protective conditions or membership consequences in instances of proven ethical professional misconduct
3. Serve a deterrent function so that social worker members uphold required standards of ethics
4. Maintain public confidence in the profession of social work

### ***What is serious ethical professional misconduct?***

Departures from acceptable standards are always of concern, and every professional strives to maintain appropriate standards, with guidance from their peers. Professional misconduct is a term for the most serious departures from required acceptable standards, which would attract the strong criticism of peers of good repute.

The AASW recognises that complaints are generally made in good faith. All complaints are taken seriously and given careful and respectful consideration, and every complaint is reviewed. The AASW's response to a complaint depends on the potential level of seriousness of the ethics concern that is raised.

Using the *Code of Ethics* as the point of reference, the AASW takes into consideration a range of factors when determining the level of seriousness of an allegation against an AASW member. A complaint can be received through the Ethics Complaints Management Process if the alleged conduct potentially meets the threshold for serious ethical professional misconduct.

For example, the following types of complaints **may** be considered:

- The complaint alleges serious harm caused to the complainant or another person.
- The complaint alleges a serious professional boundary violation, such as sexualised conduct or harassment towards a former or current client.
- The complaint alleges that the social worker has worked outside their scope of practice or area of competence.
- The complaint alleges a serious conflict of interest.
- The complaint alleges a serious confidentiality breach.
- The complaint alleges exposure to serious risk of harm, which may include issues of public safety.
- The complaint alleges serious poor practice administration, which may include exploitation for personal or financial gain.
- The complaint alleges behaviour which would discredit or reduce confidence in the social work profession amongst members of the general public, in a way that is not minor or trivial in nature.

The following types of complaints are **unlikely** to be considered:

- The complaint relates to allegations which a reasonable person may consider to be made in a vexatious or frivolous manner (see Information Sheet regarding vexatious complainants and frivolous complaints)
- The complaint relates to allegations which a reasonable person may consider to be poor business or practice administration.

- The complaint relates to a matter which a reasonable person may consider to be a misunderstanding.
- The complaint relates to a matter which a reasonable person may consider to be an unreasonable expectation of a social worker.
- The complaint relates to allegations which should be determined by another body (eg. legal matters).
- The complaint relates to organisational conflict or conflict between colleagues and/or students.

It is the role of the National Ethics Committee and/or National Ethics Committee Chair, as appropriate, to determine, in their absolute discretion, whether a complaint potentially meets the threshold for serious ethical professional misconduct, and how a complaint is to be handled within AASW. Only a Hearing Panel can ultimately decide if serious ethical professional misconduct is established.

### ***Making a complaint***

A Complaints Form is available on the AASW website.

A complaint can be lodged by emailing [ethics.complaint@asw.asn.au](mailto:ethics.complaint@asw.asn.au)

Or by mail:

Australian Association of Social Workers

PO Box 2008

Royal Melbourne Hospital VIC 3050

Alternatively you may leave a brief message by telephone 03 9320 1044, and AASW will endeavour to return your call if appropriate.

Complaints can be made anonymously if you wish.