



THE NEW BRUNSWICK ASSOCIATION OF SOCIAL WORKERS

GUIDELINE REGARDING CONFLICT OF INTEREST

From the Lectric Law Library's Lexicon:

Conflict of interest: Refers to a situation when someone such as a lawyer or public official, has competing professional or personal obligations or personal or financial interests that would make it difficult to fulfill his/her duties fairly.

Social Workers should be alert to and avoid conflicts of interest that interfere with the exercise of professional discretion and impartial judgment. Social Workers should inform clients when a real or potential conflict of interest arises and take reasonable steps to resolve the issue in a manner that makes the clients' interests primary and protects the clients' interests to the greatest extent possible. In some cases, protecting the clients' interests may require termination of the professional relationship with proper referral of the client. ¹

Social Workers should not take unfair advantage of any professional relationship or exploit others to further their personal, religious, political or business interests. ²

Social Workers should not engage in dual or multiple relationships with clients or former clients in which there is a risk of exploitation or potential harm to the client. In instances when dual or multiple relationships are unavoidable, social workers should take steps to protect clients and are responsible for setting clear, appropriate and culturally sensitive boundaries. (Dual or multiple relationships occur when social workers relate to clients in more than one relationship, whether professional, social, or business. Dual or multiple relationships can occur simultaneously or consecutively.) ³

**Adopted by the Board
February 19, 2005**

When social workers provide services to two or more people who have a relationship with each other (for example, couples, family members), social workers should clarify with all parties which individuals will be considered clients and the nature of social workers' professional obligations to the various individuals who are receiving services. Social workers who anticipate a conflict of interest among individuals receiving services or who anticipate having to perform in potentially conflicting roles (for example, when a social worker is asked to testify in a child custody dispute or divorce proceedings involving clients) should clarify their role with the parties involved and take appropriate, action to minimize any conflict of interest.⁴

Areas for potential of **risk** for conflict of interest

- 1) Working in two distinct social work roles simultaneously in which the same client could be a party
- 2) Having a second occupation which involves the social worker's clients
- 3) Working with two or more clients whose best interests diverge (family, relationship or marital conflict)
- 4) Linking clients with other services that could benefit the social worker, relatives or friends of the social worker
- 5) Exploitation of the fiduciary* (trust and power) relationship that exists between a social worker and a client for the personal benefit of the social worker (e.g. material gain, personal relationships, politics, research)
- 6) Using one's position to benefit self, family or friends in a manner that is unfair to clients or others (e.g. jumping the queue to access services)
- 7) Change of roles for a social worker where previous knowledge of clients could prejudice clients' fair treatment or access to services (e.g. a former child protection social worker working in the role as a family court mediator)
- 8) Prior knowledge of or experience with a client by the social worker, which could have a negative impact for the client and compromise professional boundaries.
- 9) Where the personal philosophy, religious or spiritual beliefs of a social worker have potential for unfair treatment or exploitation of the client

¹ National Association of Social Workers Code of Ethics 1996, 1999 section 1.06 (a)

² National Association of Social Workers Code of Ethics 1996, 1999 section 1.06 (b)

³ National Association of Social Workers Code of Ethics 1996, 1999 section 1.06 (c)

⁴ National Association of Social Workers Code of Ethics 1996, 1999 section 1.06 (d)

*Fiduciary - where one party has placed its trust and confidence in another and the latter has accepted