

Learnings for social workers from Tribunal case

A recent Social Workers Complaints and Disciplinary Tribunal case highlights complexities for social workers between professional practice and personal life, and the need to constantly self-monitor potential conflicts of interest and professional boundaries.

A statutory care and protection social worker was found to have accessed the CYRAS client records of family members a number of times over several years.

The social worker and her partner also completed a caregiver assessment to assess their suitability to care for two of their grandchildren. The social worker accessed client files several times to check on the progress of the FGC process. There appears not to be any suggestion of tampering with files, or lengthy scrutinizing of them, however the Tribunal found that the social worker used her professional role to access information for personal purposes.

The social worker was also found to have used a report she submitted as part of a parenting assessment in 2013, for another purpose three years later. This, despite a statement on the front page of the report clearly stating that it was confidential and not to be copied or released without the permission of CYF specialist services.

This case was further complicated by the social worker's work environment. The Tribunal noted a lack of consistency in the workplace applying a confidential classification to client records where clients were connected to the social worker, inconsistent access to professional supervision, high caseload, a high stress work environment, and little time to think about professional development. The social worker advised that she had received no induction training at the time of employment with CYF, and no training on the SWRB Code of Conduct.

The Tribunal took all of this into consideration, noted that the social worker had worked constructively with the Professional Conduct Committee (PCC) and the Tribunal, and was a hardworking and committed social work practitioner. She lost her job as a result of this complaint and was not practising at the time of the Tribunal hearing.

The Tribunal found that the social worker had acted in breach of principle 1.1 of the Code of Conduct. This requires social workers to act honestly and ethically in all personal and professional behaviour. The Tribunal also found that the social worker was in breach of principle 3 which includes requiring social workers to maintain professional objectivity. Her relationship with the clients of CYF services in this case was a personal one only, however she acted as if she had a professional role.

The social worker was found to be in breach of principle 7, Respect the client's privacy and confidentiality. She had no right to access or add to information on file for anyone who was not her client, nor should she have used organisational documents without permission, or for purposes other than that intended.

The Tribunal considered that the social worker was in breach of principle 9 of the Code of Conduct, and that her actions were not consistent with the requirement for social workers to maintain a high standard of professional and personal behaviour, and could compromise public trust and confidence in the social work profession.