

**ETHICS FOR HUMAN
SERVICE PROFESSIONALS**

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Why Ethics?

- Direct service workers assist people in the community who require a wide range of services, skills and supports in multiple settings
- This is exactly what makes the practice of ethics so important

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Where did it all start?

- A branch of philosophy that seeks principles and norms of good conduct
- Principles that order and regulate the behavior of human beings
- Choosing the right thing to do (which is not always easy where there are competing rights, interests or values)

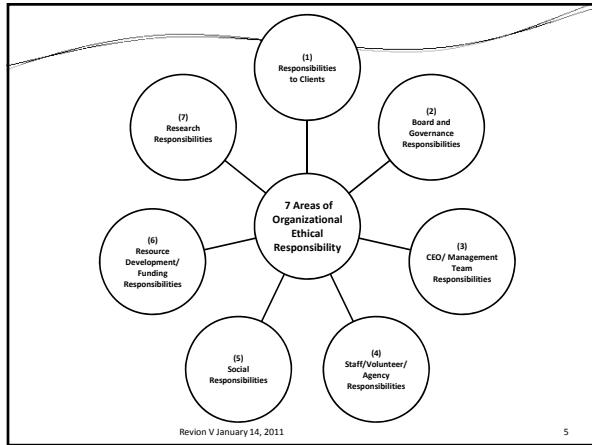
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Opening Thoughts

- The values and ethics of the human service profession must govern every aspect of practice, each decision, and every action you take as a professional. (Cournoyer, 2005)
- We affect for better or worse lives of the people we serve hence our burden of personal and professional responsibility is paramount.

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Important Values in Health Care and Human Services

- Choices
- Person-Centered Planning
- Consumer Involvement in Planning
- Independence
- Participation in the Community
- Being Positive
- Individuality


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Terminology

“Consumers” – now the preferred term for persons receiving services because:


- It emphasizes the choice that people have over the services they receive.
- It helps us remember that people do not passively receive the services, rather they actively consume the services they have chosen.
- This needs to show up in policies and documentation



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Regulations

State regulations affect all aspects of care it is to your advantage to be familiar with how regulations matter in the work that you do.



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Ethical Responsibility

- Ethical responsibilities take precedence over
 - Theoretical knowledge
 - Research findings
 - Practice wisdom
 - Agency policies
 - Personal values, preferences, beliefs

(Cournoyer, 2005)

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The Belmont Report

The principles of the Belmont Report govern all research supported by the U.S. Government.

The ethical principles outlined in the report are the basis for subsequent regulations designed to ensure protection of human subjects in research.

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The Basic Principles of the Belmont Report

1. Respect for Persons
2. Beneficence
3. Justice

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Respect for Persons

- o Treat individuals as **autonomous agents**
- o Do not use people as a **means to an end**
- o Allow people to **choose for themselves**
- o Provide **extra protections to those with diminished autonomy** (i.e., Prisoners, Children, Cognitively Impaired, etc.)



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Beneficence

The two general rules formulated from the principle of beneficence are:

- o First, **do no harm**

- o Second, **maximize possible benefits and minimize risks**

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Justice

- o Treat people **fairly**
- o Fair **sharing of burdens and benefits** of the research

An injustice occurs when:

1. benefits to which a person is entitled are denied without good reason, or
2. when burdens are imposed unduly.

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Rules Derived

- **Respect**
 - Informed Consent Process
 - Respect for Privacy
- **Beneficence**
 - Good research design
 - Competence of the staff (training etc.)
 - Favorable risk-benefit analysis
- **Justice**
 - Equitable/fair conditions for all

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Ethics

- **Relativists** = ethics varies with social context
- **Universalists** = right and wrong remains the same across cultures and situations
- **Ethical standards** = criteria that help differentiate right from wrong
 - The golden rule
 - **Utility** = something right produces the most benefits for the most people

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Ponderings.....

- ▶ Moral issues greet us each morning in the newspaper, confront us in the memos on our desks, nag us from our children's soccer fields, and bid us good night on the evening news.
- ▶ Daily we are bombarded with questions about the justice of our foreign policy, the morality of medical technologies that can prolong our lives, the rights of the homeless, the fairness of our children's teachers to the diverse students in their classrooms.

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To Name a Few.....

- **Rod Blagojevich** – 40th Governor of Illinois
- **Duke Lacrosse Team**- District Attorney Mike Nifong
- **Scooter Libby Trial** – Outing a CIA agent – Administration ordered ethics courses
- **Hewlett Packard** – Spying on Board Members
- **Chicago Mayor Suspends Ethics Officer** - for allegedly bumbling a student intern's sexual harassment complaint.
- **Current Internet Counseling Boon** – Do we have it right yet?

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Dealing with moral issues is often perplexing:

- How, exactly, should we think through an ethical issue?
- What questions should we ask?
- What factors should we consider?

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Moral Conflict

- The first step in analyzing moral issues – **GET THE FACTS** is obvious but not always easy:
- Some moral issues create controversies simply because we do not bother to check the facts.
- This first step, although obvious, is also among the most important and the most frequently overlooked.

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Having the facts may not be enough.....

- ▶ Facts by themselves only tell us what is; they do not tell us what ought to be.
- ▶ In addition to getting the facts, resolving an ethical issue also requires an appeal to our **PERSONAL** values – bringing ethical dilemmas into the subjective realm and reasoning flaws may show up
- ▶ No wonder we struggle with ethical conflicts!

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Exploring Goals and Values

- ▶ What are some of the goals or values you hold?
- ▶ How does behavior fit in with these values?



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Milton Rokeach's Universal Values

Instrumental Values (Behavioral Ideals):

- ▶ Ambitious
- ▶ Broadminded
- ▶ Capable
- ▶ Cheerful
- ▶ Clean
- ▶ Courageous
- ▶ Forgiving
- ▶ Helpful
- ▶ Honest
- ▶ Imaginative
- ▶ Independent
- ▶ Intellectual
- ▶ Logical
- ▶ Obedient
- ▶ Polite
- ▶ Responsible
- ▶ Self-controlled
- ▶ Loving

Terminal Values (Preferences for Experiences):

- ▶ A comfortable life
- ▶ An exciting life
- ▶ A sense of accomplishment
- ▶ A world at peace
- ▶ A world of beauty
- ▶ Equality
- ▶ Family security
- ▶ Freedom
- ▶ Happiness
- ▶ Inner harmony
- ▶ Mature love
- ▶ National security
- ▶ Pleasure
- ▶ Salvation
- ▶ Self-respect
- ▶ Social recognition
- ▶ True friendship
- ▶ Wisdom

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What comes into play.....

- ▶ **Morals:** your personal values, sense of "right" and wrong, etc.
- ▶ **Principles:** professional practice standards
- ▶ **Ethical Values:** autonomy, beneficence, justice, fidelity, non-maleficence, etc.
- ▶ **Scope of Practice:** definitions and limitations of what services a professional is qualified to provide

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Shrinking the "GREY" Areas

Ways to make right-wrong more clear:

- Education
- Consultation
- Supervision

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An ethical perspective requires careful thinking about the impact of our actions on others and an emotional engagement with the meaning and significance of events as experienced by the parties themselves.

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Ethics and Action

- Both disciplines deal with what we value
- Our values affect our decisions and actions

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graph TD; Culture((Culture)) <--> Personal((Personal experience)); Worldview((Worldview)) <--> Values((Values)); Culture <--> Worldview; Personal <--> Values; Worldview <--> Decisions((Our decisions and actions)); Values <--> Decisions;
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• **Philosophers have developed five different approaches to values dealing with moral issues.**



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Lets see which of these you think work for you.....

- Write your thoughts as I go through the following concepts.

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The Utilitarian Approach

- Utilitarianism was conceived in the 19th century by Jeremy Bentham and John Stuart Mill to help legislators determine which laws were morally best.
- Both Bentham and Mill suggested that ethical actions are those that provide the greatest balance of good over evil.

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To analyze an issue using the Utilitarian approach:

- First identify the various courses of action available to us.
- Second, ask who will be affected by each action and what benefits or harms will be derived from each.
- Third, we choose the action that will produce the greatest benefits and the least harm.
- The ethical action is the one that provides the greatest good for the greatest number.

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The Rights Approach

- The Rights Approach to ethics has its roots in the philosophy of the 18th-century thinker Immanuel Kant and others like him, who focused on the individual's right to choose for herself or himself.
- According to these philosophers, what makes human beings different from mere things is that people have dignity based on their ability to choose freely what they will do with their lives, and they have a fundamental moral right to have these choices respected.
- People are not objects to be manipulated; it is a violation of human dignity to use people in ways they do not freely choose.

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The Rights Approach

- Many different, but related, rights exist besides this basic one. These other rights (an incomplete list) can be thought of as different aspects of the basic right to be treated as we choose.
 - The right to the truth: We have a right to be told the truth and to be informed about matters that significantly affect our choices.
 - The right of privacy: We have the right to do, believe, and say whatever we choose in our personal lives so long as we do not violate the rights of others.

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The Rights Approach

- **The right not to be injured:** We have the right not to be harmed or injured unless we freely and knowingly do something to deserve punishment or we freely and knowingly choose to risk such injuries.
- **The right to what is agreed:** We have a right to what has been promised by those with whom we have freely entered into a contract or agreement.

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The Rights Approach

- In deciding whether an action is moral or immoral using this second approach, then, we must ask:
 - Does the action respect the moral rights of everyone?
 - Actions are wrong to the extent that they violate the rights of individuals; the more serious the violation, the more wrongful the action.

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Fairness or Justice Approach

- The fairness or justice approach to ethics has its roots in the teachings of the ancient Greek philosopher Aristotle, who said that "equals should be treated equally and unequals unequally."

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Fairness or Justice Approach

The basic moral questions in this approach are:

- How fair is an action?
- Does it treat everyone in the same way, or does it show favoritism and discrimination?

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Fairness or Justice Approach

- Favoritism gives benefits to some people without a justifiable reason for singling them out
- Discrimination imposes burdens on people who are no different from those on whom burdens are not imposed.
- Both favoritism and discrimination are unjust and wrong.

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The Common-Good Approach

The Common Good approach to ethics assumes a society comprised of individuals whose own good is inextricably linked to the good of the community.

- Community members are bound by the pursuit of common values and goals.
- Examples? Civil Advocacy.... State Ombudsman Journalists Ethicists

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The Common-Good Approach

- The common good is a notion that originated more than 2,000 years ago in the writings of Plato, Aristotle, and Cicero. More recently, contemporary ethicist John Rawls defined the common good as "certain general conditions that are...equally to everyone's advantage."

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The Common-Good Approach

- In this approach, we focus on ensuring that the social policies, social systems, institutions, and environments on which we depend are beneficial to all.
- Examples of goods common to all include affordable health care, effective public safety, peace among nations, a just legal system, and an unpolluted environment, and even a smoke-free communities!

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The Common-Good Approach

- Appeals to the common good urge us to view ourselves as members of the same community, reflecting on broad questions concerning the kind of society we want to become and how we are to achieve that society.
- While respecting and valuing the freedom of individuals to pursue their own goals, the common-good approach challenges us also to recognize and further those goals we share in common.

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The Virtue Approach

- The virtue approach to ethics assumes that there are certain ideals toward which we should strive, which provide for the full development of our humanity.
- These ideals are discovered through thoughtful reflection on what kind of people we have the potential to become.

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The Virtue Approach

- Virtues are attitudes or character traits that enable us to be and to act in ways that develop our highest potential.
- They enable us to pursue the ideals we have adopted: Honesty, courage, compassion, generosity, fidelity, integrity, fairness, self-control, and prudence are all examples of virtues.

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The Virtue Approach

- Virtues are like habits; that is, once acquired, they become characteristic of a person.
- Moreover, a person who has developed virtues will be naturally disposed to act in ways consistent with moral principles.
- In this view of ethics, the virtuous person is the ethical person.

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The Virtue Approach

- In dealing with an ethical problem using the virtue approach, we might ask:
 - What kind of person should I be?
 - What will promote the development of character within myself and my community?

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Ethical Guidelines for therapists

Virtue Approach

(Erik Erikson)

Ideals are found through reflection on what kind of person we want to be

Examples: Honest, generous, courageous, fair, compassionate

Question: Would you include the word strong or powerful in definition?

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The Care Perspective

- Carol Gilligan, a feminist theorist, has discovered an alternative mode of moral cognition — the Care Perspective
- The Care Perspective, in Gilligan's view, is a different and equally good way to interpret moral situations and to decide how to act.
- The theme of human interconnectedness and empathy are prominent in contemporary feminist moral philosophy.

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Ethical Problem Solving

These approaches suggest that once we have ascertained the facts, we should ask ourselves these questions when trying to resolve a moral issue:

1. What benefits and what harms will each course of action produce, and which alternative will lead to the best overall consequences?
2. What moral rights do the affected parties have, and which course of action best respects those rights?

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Ethical Problem Solving

3. Which course of action treats everyone the same, except where there is a morally justifiable reason not to, and does not show favoritism or discrimination?
4. Which course of action advances the common good?
5. Which course of action develops moral virtues?
6. How does the course of action impact human connectedness?

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Ethical Problem Solving

- This method is not meant to provide an automatic solution to moral problems.
- It is meant to help identify most of the important ethical considerations.
- In the end, we must deliberate on moral issues for ourselves, keeping a careful eye on both the facts and on the ethical considerations involved.

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Responsible Professionals

Counselors' claim of skill in relieving people's pain must be based on scientific evidence of effectiveness in carrying out interventions for a good result for the client.

1. Having sufficient knowledge, skill and judgment to use efficacious interventions
2. Respecting the human dignity and freedom of the client

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Responsible Professionals.....

3. Using the power inherent in the counselor's role responsibly
4. Acting in ways that promote public confidence in the profession of counseling



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The NO. 1 Ethics Violation – Dual Relationships

- ▶ The prohibition of sexual intimacies with help seekers is one of the oldest ethical mandates in the health care professions.” Herlihy & Remley (2005)

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The Problem

- Sexually intimate behavior between human service workers and their clients has emerged as an increasingly serious problem within the profession, as revealed by an examination of the records in 3 areas:
 - Ethics cases
 - Malpractice cases
 - Licensing hearings

“Investigations have doubled in recent years”
(Pope, Keith-Speigel & Tabachnick, 2006)

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Research on Impacts

- Several studies have been conducted that unanimously show “severe damage” can result from such behavior. (Lovett, Paxton & Riggs, 2001)
- 90% of clients who were in sexual relationships with their therapists were damaged further as a result. Impacts ranged from distrust of the therapeutic process, to severe depression, hospitalization, and suicide. Bouhoutsos, Forer, Greenberg, Holroyd & Leman (1983)

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When are we at risk?

- Male professional – female client**
- Personal distress or crisis**
- Pattern of attempting to meet personal needs through client contact**
- Historical behavior**

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5 components of successful management of sexual feelings in the therapeutic relationship:

- Trainings include honest serious discussions of this complex issue
- Integrate into curriculum
- Additional research is necessary to understand the complexities
- Understand that attraction is human and needs to be discussed
- Needs to be a safe topic to discuss

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Components of Moral Behavior

Framework for understanding moral behavior Rest, (1983, 1994):
Defines moral action as any behavior that can affect the welfare of another.

1. **Moral Sensitivity** – Process of recognizing the situation as one with implications for the welfare of another.
2. **Moral Reasoning** – Process of thinking through the alternatives, once a situation has been recognized as having moral dimensions.

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3. **Moral Motivation** – having evaluated the options and determined which is the most moral, must decide whether to go forward.
4. **Moral Character** - Carry out the moral action to its conclusion – requires virtues such as character, integrity, and moral courage.



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• We often use the word "integrity" to refer to people who act in ways that are consistent with their beliefs. Here consistency means that a person's actions are in harmony with his or her inner values.

• Competing values may interrupt moral motivation and action.

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Stadler's (1986) Three Tests

• In applying the **test of justice**, assess your own sense of fairness by determining whether you would treat others the same in this situation.

• For the **test of publicity**, ask yourself whether you would want your behavior reported in the press.


• The **test of universality** asks you to assess whether you could recommend the same course of action to another counselor in the same situation.

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Stadler's (1986) Three Tests con't

• If the course of action you have selected seems to present new ethical issues, then you'll need to go back to the beginning and reevaluate each step of the process.

• passing the tests of justice, publicity, and universality and satisfied that you have selected an appropriate course of action, then you are ready to move on to implementation.



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Implement the course of action

Taking the appropriate action in an ethical dilemma is often difficult.

The final step involves strengthening your ego to allow you to carry out your plan.

After implementing your course of action, it is good practice to follow up on the situation to assess whether your actions had the anticipated effect and consequences

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Distinction between Ethical and Legal Dilemmas

<u>Ethics</u>	<u>Legal</u>
Ethics are aspirational	Determined by federal or state statutes
Concern professional practices and standards	Corrective measure, effort to police profession
If not self-monitored, regulatory agencies step in	Litigious fears versus professional integrity
Safeguard autonomy of professional workers	Implemented if ethics are consistently violated
Dynamic and evolving	Civil and criminal law
Often a matter of opinion	Enforcement sets precedence
Not always a legal concern	

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Ethical Values

Be good
Do good
and
Above All, Do No Harm

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Client Rights

- Non-discrimination:
 - **Autonomy:** a persons right to make independent choices; the power of self-direction
 - **Dignity:** the quality of being worthy of esteem or respect; the earning or the expectation of personal respect or of esteem
 - **Respect:** respect is the objective, unbiased consideration and regard for the rights, values, beliefs and property of all people.
- Confidentiality
- Responsibility and Competence



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Know "yourself"

It's YOUR Ethical Responsibility

- Self-evaluation
- Continued education -- advanced
- Supervision -- on-sight and/or off-sight

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SELF ASSESSMENT

- **Ethical Problem Solving**
- Ask yourself is what I am doing or planning to do a violation of ethics, laws, rules, or agency policy?
- If yes don't do it.
- If you are unsure:
 - Consult Supervision
 - Ask yourself what is the worst that could happen?
 - Ask yourself what would the headline be?
 - Am I proud of this course of action?
- Create a plan to lessen the likelihood of a similar situation happening to yourself or someone else in the future.

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Summary: Ethics

Key points to remember:

- “Be good, do good, and above all – do no harm.”
- Distinguish among ethics, morals & legalities.
- Client rights are always foremost.
- Your ethics can greatly impact the quality of client care and the image of the profession.
- Boundary issues start with the small, innocent transgressions.

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SUMMING IT UP.....

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