


Ethics in Supervision


A case-based Workshop

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Program Overview

- Ethics in Context
- Ethical Decision-Making
- Ethics in Supervision
 - Power
 - Dual Relationships
 - Evaluation
 - Vicarious Liability
- Case Work
 - small group work
 - Identifying options
- Attendee Cases
- Q & A
- Wrap-up




Ethics in Context

- Influences on ethical behavior
- Socio-cultural – Historical
- Work Environment
- Laws and Regulations
- Community Norms
- Personal Values
- Personal Morality




Sociocultural - Historical

- Cultural differences
 - Bartering Individual or collective Privacy
- Norms change over time
 - Increasing awareness of exploitation
- Social changes related to political norms
- Ebb and flow of religious values
- Increasing litigation



Laws & Regulations

- Case Law
 - Tarasoff – Duty to Warn
 - Child abuse reporting laws
- Regulatory Law
 - Licensure Boards
 - Protection of Confidentiality
 - Identifying qualifications for practice
 - Reimbursement standards



Community Norms

- NYC or GF, ND – Does it matter?
- What factors of a community impact ethical decision-making?
 - Size
 - Diversity of population
 - Cultural practices
 - Location within a larger cultural region
 - Socioeconomic status



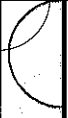
Personal Values & Morality

- How will your beliefs impact your ethical development?
 - What biases and expectations do you bring?
 - How do you monitor the impact of your values?
 - How do you respect different values in others?
- How do your morals differ from your ethics?




Work Environment

- Attitudes of supervisors
- Ethical thoughtfulness of co-workers
- “Strict” or “loose” atmosphere
- Employer demands
- Policies of agency/employer



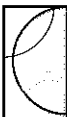
Brainstorm

- What other contextual factors impact our ethical decision-making?



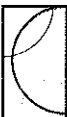
Ethical Decision-Making

- Who Decides?
- There exist numerous resources to guide you in ethical decision-making.....
- But ultimately.....
- You decide



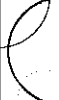
How to Decide

- Know the issue
- Research the relevant resources
- Consult
- Consult
- Consult
- Act



Step I -Develop Ethical Sensitivity

- Educate yourself – lifelong
- Discuss ethics in supervision
- Recognize concerns early
 - Learn to anticipate problems
 - Attend to “small” issues
 - See ethics every day
- Reflect on own attitudes, morals, and changing perceptions




Step 2 - Identify Facts & Stakeholders

- Carefully analyze situation
- Organize your thoughts
- Develop a logical approach


• Step 3 – Define Central Issue & Options

- What type of issue is involved?
- What options can be brainstormed?



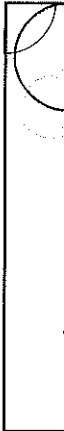
Research the Issues

- Step 4 – Refer to professional code(s) & laws
- Step 5 – Search the professional literature
- Step 6 – Apply principles and theories
- Step 7 – Consult w colleagues & supervisors
- Step 7a – Consult some more



Ethical Principles

- Beneficence – Do good
- Non-maleficence – Do no harm
- Justice
- Fidelity
- Autonomy



It's Up to You

Step 8 – Deliberate and Decide


- Attend to competing demands, including values

Step 9 – Inform and Implement

- Be as transparent as possible
- Take appropriate actions to resolve situation
- Document everything


Step 10 – Reflect

- How will this experience impact your response to the next issue?




What would you add?

- What other steps would you take?
- What would (or does) increase your confidence in pursuing a decision-making strategy that works for you?



Ethics in Supervision


- Increased complexity due to:
 - Multiple interests and obligations
 - Relationships that are both collegial and evaluative.
 - Responsibility for the ethical behavior of another professional.



Critical Ethical Issues


- Dual Relationships
- Evaluation and Record-keeping
- Vicarious Liability

- All of these things are intensified in supervision due to power differential



Power in Supervision

- Influenced by several factors:
 - Experience of supervisee
 - Experience of supervisor
 - Work roles in employment setting
 - Hierarchical structure of agency
 - Balance of therapeutic supervision and employment evaluation supervision
 - What other factors come to mind?



Preparing for Case Work

- Consider principles
 - Do good, do no harm autonomy, justice, fidelity
- Consider context of the event
 - Laws and regulations, employer policies, local norms
- Identify the nature of the ethical dilemma and the impacted parties

Case 1 – To babysit or not?

- Whose needs must be considered ?
- How will you prioritize them?

- How is your decision influenced by:
 - How much you like the supervisee
 - Your evaluation of the supervisee's skills
 - Supervisee's gender
 - Client's urgency
 - Daughter's well-being
 - Other factors?

Case 1: What are the short- and long-term consequences of:

◦ Accepting the offer	◦ Declining the offer
" For you	" For you
" For supervisee	" For supervisee
" For client	" For client
" For other supervisees	" For other supervisees

Case 2 - Overheard

- Whose needs must be considered here?
Whose take priority?

- What is the impact of this incident on:
 - Your client
 - Your credibility as a therapist
 - Your supervisee
 - Your agency

Case 2 (continued)

- What might be the consequences of this event for:
 - Supervisee
 - Is the goal punishment? Remediation? Education? Support?
 - Agency
 - Policy or practice changes?
 - You
 - Reflection on ways to avoid or minimize damage

Case 3 – I really need this job!

- What could have been done differently to avoid this outcome?
 - By the supervisor
 - By the supervisee
- What are the pros and cons of retaining Karen?
- What are the pros and cons of releasing Karen?
- What obligations do you have to future potential employers?

Case 4 – Who is responsible?

- What could have prevented this outcome?
- How much control does the supervisor have over this situation? How much responsibility does the supervisor have?
- If this goes to trial, or to an ethics board, what are the possible consequences for the supervisee? For the supervisor?

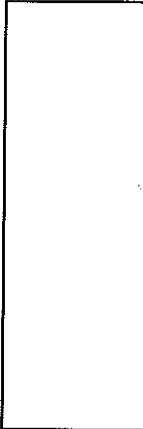


Case 5 – Social Networking

- What role does autonomy play in this scenario? Privacy?
- What consequences could result if no changes are made?
- How much control does the supervisee really have over this situation?
- Who is responsible for managing on-line information?



Attendee Scenario Review



Q & A

Case 1 – To Babysit or Not to Babysit?

A client, Neil, calls in crisis near the end of the day, and you agree to see him at 5:00, after your final scheduled client. Neil has been flagged as high risk for self-harm, and was clearly struggling to maintain sobriety at your last session. You'd been thinking it might be time to re-consider inpatient treatment, based on his increasing vulnerability. You're also confident that he would not call between sessions unless he was really having trouble.

You call your daycare provide and ask if he can keep your 5-year-old daughter, Shelly, for an extra hour or two. He already has plans, and doesn't have a back-up who can watch her. You call several friends and family members, but are not able to reach anyone. After several tries, you hang up the phone and mutter "Now what am I going to do?"

Your supervisee, Kim, has been in the office while you made your phone calls. Now she looks up and says, "You know, I'd be happy to watch Shelly for a couple of hours. I don't have anything going on tonight and it's not even out of my way to pick her up. Why don't I watch her until you're done with your session?"

What issues do you need to attend to as you consider this offer? What would you decide to do and why? What are the situational factors that might influence or change your decision?

Case 2 – Overheard

You have just greeted your client in the waiting room and are walking with her down the long hall to your office. As you approach the office of your supervisee, Frank, you hear him swear and then say "I'm not questioning you, Officer. I'm just frustrated. It's hard being married to a woman who is drunk by 10 am every day. I'll be right down to pick her up." Your client slows down and looks at the slightly ajar door of Frank's office, then says to you, "I guess I'm not the only one who needs help around here."

Is this an ethical issue? Why or why not? What do you do about it, if anything? What is your rationale?

Case 3 – But I really need this job!

Karen has been working in your office for three months. She is popular with clients and with other staff, but has sloppy work habits and poor record-keeping skills. You've warned her that she needs to make some changes in her case management and filing procedures, and she has agreed to do so, but you can see no sign of follow-up on her part. Today you returned from lunch to find her chatting with a friend on the phone. You know she's got at least three client files that are out of compliance, and that she hasn't taken any action on them for the last week. You interrupt her phone call and say "OK, that's it. I've given you several chances. Consider this your two weeks notice."

Karen stares at you with astonishment, then becomes angry. "What are you talking about? You can't just fire me. I haven't even had a chance." When you indicate that you've given her several chances, she says "Prove it! I don't see it written down anywhere." Recognizing that you need to keep this from escalating further, you say "Karen, I think we both know that this isn't the best fit for you. You just don't want to follow our policies. I don't have much choice." She replies, "You can't fire me. I really need this job. I'll try harder. Please give me another chance." After a minute, during which you don't respond, Karen asks, "Will you at least write me a reference for another job?"

What options are available to you at this point? How do you decide between them? What do you decide and why?

Case 4 – Who is responsible?

Your supervisee, Kevin, is working in your agency while he earns the necessary hours to be considered for licensure. One of his clients, a 16-year-old male named Mike, attempts suicide. Mike's mother, Susan, calls the agency after the client is admitted to the hospital, and asks to speak to "the person in charge." She then reports that her son indicated Mike had talked with Kevin about his worsening depression and his thoughts of harming himself. Susan is upset about her son, and furious with both Kevin and the agency. She indicates that she intends to pursue action through both legal and professional channels, "to make sure this does not happen to another family."

You immediately schedule a meeting with Kevin, who is surprised to hear of the suicide attempt, but not shocked. He says, "I knew he was feeling worse. I didn't think he'd go this far, though." You ask to see Kevin's notes, in which there is no documentation of assessment of suicidal thought, risk of harm to self or others, or any indication of a verbal or written plan for Mike to contact Kevin if he felt worse. You can't remember Kevin ever talking about a suicidal client, although it is also true that his case load is big enough that you don't talk about every client every week.

What ethical issues are relevant here? What, if anything, can be done at this point to improve the situation?

Case 5 – Social Networking

Monday afternoon, the office receptionist, Nora, comes to your office with a worried look on her face. A client has just made a "strange comment" about Mary, the new intern who just started working at the center as part of her graduate training. The client said, "Wow, I didn't know you guys hired such wild things to be counselors." Seeing Nora's confused look, the client said, "You must not facebook."

In fact, Nora does facebook, and so she looked Mary up. She didn't see anything on Mary's facebook page, as it was set to private. But, she did find a photo of Mary that was tagged with her name, on someone else's page. Nora tells you how to find it and then leaves your office.

You debate for a minute, then open facebook and find the photo. Mary is dancing on a bar with several other people, mostly women, and appears to be drinking. She is also holding a sex toy and laughing with friends, most of whom are dressed up in bridal veils and holding martini glasses. It looks like a fun "bachelorette" party, and in this photo, Mary is the center of attention.

Is this an ethical issue? What, if anything, do you do with this information?

Attendee Dilemmas

In the space below, briefly describe one or two situations that you would like to discuss at the end of class today. Be sure to include the parties involved (provider, client, etc) and the problems that have emerged with enough detail to support discussion. You do not need to identify yourself as the author on this sheet, nor during the discussion.

Situation 1

Situation 2