

## **Mediation is Key to Resolving Social Work Ethics' Complaints**

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Social work practice is guided by an established set of ethical standards. Social workers might find themselves in a dilemma when a client accuses them of a breach of those standards. What happens when a social worker gets notice from the National Association of Social Workers (NASW) of an alleged violation?

According to the NASW Procedures for Professional Review, NASW is responsible for "reviewing and resolving complaints of ethical violations or unfair practices" through a Professional Review. This includes "...an examination of professional qualifications or behavior by members of NASW." The emphasis is on peer review and therefore not a legal process. The process is designed "to correct and improve social work practice." Traditionally, this process has been limited to adjudication. Now, NASW has incorporated mediation as an option to resolving these types of disputes.

Mediation is a conflict management process that allows parties who are in a dispute to enter into a dialogue with a third party neutral to define and understand the issues, to have their voices heard, to obtain information, and to create options for resolution. Because this is a collaborative process, it supports party self-determination and empowers the parties to be part of developing their own resolution...something that is doable and reasonable to both sides, the client and the social worker. Further, this process is bound by strict confidentiality guidelines so as to protect all parties in the process.

The National Committee on Inquiry (NCOI) along with each state chapter's Committee on Inquiry (COI) is administratively responsible for review matters. Once the NCOI determines the appropriateness of a case for mediation, it is sent to the Chapter for setting up the mediation between the client and the social worker. There are several roles worth noting that are integral to a productive process. A consultant is appointed by the Chapter to work with the COI and assist the parties in preparation for the mediation. A NASW representative is also appointed to participate in the mediation. According to NASW, the representative's role "is to ensure that the ethical standards consistent with the NASW Code of Ethics and relevant to the professional activities of all social workers are not compromised in any resolution reached through mediation." Finally, the mediator is appointed to the case from the Chapter's COI. The mediator must be a NASW member, have an MSW degree, and have completed a basic 40-hour mediation training. They also must commit to providing two mediations per year for two years. This is done on a pro bono basis. The cost of administratively handling the case is borne by the Chapter. There is no financial cost to the parties to participate in the mediation.

To inquire more about this process, social workers can obtain a copy of the NASW Procedures for Professional Review (4<sup>th</sup> ed.) from their local Chapters or go online to [www.socialworkers.org](http://www.socialworkers.org).

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