

## **Self-Assessment Tools for Informed Consent and Documentation**



**NLCSW Ethics Committee**

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## INTRODUCTION

The Newfoundland and Labrador College of Social Workers (NLCSW) regulates the practice of social work in Newfoundland and Labrador (NL) under provincial legislation titled the *Social Workers Act*, SNL 2010, c.S-17.2. The vision is *Excellence in Social Work*.

This self-assessment guide on informed consent and documentation was developed by the NLCSW Ethics Committee to support social work practice in Newfoundland and Labrador. The checklists can be used by social workers to reflect on and evaluate their own practices pertaining to informed consent and documentation, and identify areas for continuing professional education.

The development of this self-assessment guide is part of NLCSW's on-going commitment to develop resources and best practice guidelines to strengthen and promote social work practice. The NLCSW has a wealth of information pertaining to informed consent and documentation that can be accessed on the NLCSW website at [www.nlcsw.ca](http://www.nlcsw.ca). This includes the Documentation Matters, Ethical Compass, and Practice Matters series, and the document Informed Consent with Children and Youth: Practice Guidelines for Social Work.

The material outlined in this document is intended to encourage self-reflection. The checklists, while not intended to be included in social work records, can be used in discussions with peers, managers and supervisors to identify best practices or provide the basis for social work documentation audits. This material can also be used by social workers when providing field instruction to social work students to foster an understanding of best practices in informed consent and social work documentation.

The information contained in the self-assessment tools is grounded in the Canadian Association of Social Workers (CASW) (2005) Code of Ethics, CASW (2005) Guidelines for Ethical Practice, and the NLCSW (2020) Standards of Practice for Social Workers in Newfoundland and Labrador. Social workers have a responsibility to be aware of and adhere to the Code, Guidelines and Standards of Practice.

This document is intended as a living document and will be updated to ensure that it remains current with best practices as identified by the profession.

## INFORMED CONSENT & ETHICAL PRACTICE

Social workers have an ethical and legal responsibility to seek informed consent from clients prior to the delivery of social work services and throughout the professional relationship as needed.

Informed consent is defined as “a voluntary agreement reached between a capable client based on information about foreseeable risks and benefits associated with the agreement (e.g., participation in counselling or agreement to disclose social work report to a third party)” (CASW, 2005, p. 10). This process is integral to the therapeutic alliance between a client and social worker, and is keeping with the client’s right to self-determination, autonomy, dignity, privacy and respect.

The following self-assessment checklist can be used by social workers to evaluate their own practices pertaining to informed consent and identify areas for continuing professional education. This tool is not intended for the client record.

The section pertaining to general elements of informed consent crosses all forms of social work practice and highlights the core components of informed consent. Additional information regarding technology, use of complimentary interventions and techniques, fee scheduling in private practice and social work research as it relates to informed consent is also provided.

### General

<b>Elements of Informed Consent</b>	<b>Consistently</b>	<b>Inconsistently (explain)</b>	<b>N/A (explain)</b>
Clear explanation of the nature of service provided			
Transparency with regards to social worker’s knowledge, expertise, and theoretical approach			
Limits to confidentiality explicitly outlined			
Explanation of risks/benefits of social work intervention and alternative options			
Risk/benefits of not engaging in social work intervention			
Overview of mutual responsibilities and therapy process			
Provision of information on how client information is recorded, stored and who has access (e.g., circle of care, third parties)			

Information pertaining to the release of client information			
Ongoing assessment of capacity for informed consent			
Consent is obtained relevant to each decision			
Discussion on termination and timeframe for social work intervention			
Information on client's right to second opinion or referral			
Documentation of written and oral informed consent			
Information is provided in a manner easily understood by the client and culturally appropriate			
Articulation of informed consent process for children and youth			
Provision of information regarding access to crisis intervention services			
Information on boundaries in practice			
Engagement of mandated clients in the decision-making process to the greatest extent possible			

### Technology Use

<b>Elements of Informed Consent</b>	<b>Consistently</b>	<b>Inconsistently (explain)</b>	<b>N/A (explain)</b>
Information on how technology is used in practice <ul style="list-style-type: none"> <li>a) Information on technology that is being used</li> <li>b) Policies on the use of technology in service delivery</li> <li>c) Communication between sessions and review of policies on the use telephone consultations, texts and/or e-mails</li> </ul>			

d) Response times e) Plans for technology failures and interruptions			
Information on benefits and limitations of service delivery using technology a) Benefits – convenience and enhanced access to services, elimination of or reduction in travel to attend sessions, removal of geographic barriers, privacy of sessions and choice of location for client assessing services, etc.) b) Limitations – technological failures, potential breaches of confidentiality, client comfort with technology, lack of visual cues when video is not being used, etc.			
Identity and location of the client is clearly identified			
Social media policy clearly articulated			
Disclosure of policies on the use of internet-based searches to seek client information			
Provision of information on crisis intervention services available at the community level			
Professional profile and contact information clearly visible on website or social media platform			

**Complementary and Adjunct Interventions and Techniques**

<b>Elements of Informed Consent</b>	<b>Consistently</b>	<b>Inconsistently (explain)</b>	<b>N/A (explain)</b>
Informed consent is obtained prior to the use complimentary/adjunct interventions or techniques			

Provision of information on the therapeutic approach, effectiveness, risks and limitations			
Client provided with opportunity to ask questions and seek clarification			
Provision of information of other therapeutic options available			

**Private Practice (additional considerations)**

<b>Elements of Informed Consent</b>	<b>Consistently</b>	<b>Inconsistently (explain)</b>	<b>N/A (explain)</b>
Disclosure of fee structure prior to the delivery of services			
Disclosure of policies related to session cancellations/missed appointments			
Disclosure of policies pertaining to billing and unpaid bills			

**Social Work Research**

<b>Elements of Informed Consent</b>	<b>Consistently</b>	<b>Inconsistently (explain)</b>	<b>N/A (explain)</b>
Overview of the risks/benefits of engaging in research is provided			
Participants are informed of their right to withdraw from a research study			
Participants are informed of how research findings will be disseminated and published			

## DOCUMENTATION & ETHICAL PRACTICE

Social work documentation is an integral and essential component of social work practice. The purpose of documentation is to provide a clear statement of social work assessment, intervention and professional decision-making which establishes accountability and evidence of services provided. The record can be electronic, paper or both,

The following self-assessment checklist can be used by social workers to evaluate their own documentation practices and identify areas for continuing professional education. This tool is not intended for the client record.

The section pertaining to general elements of documentation crosses all forms of social work practice and highlights the core components of documentation. Additional information regarding technology and private practice is also provided.

### General

Elements of documentation	Consistently	Inconsistently (explain)	N/A (explain)
Documentation of written and oral informed consent			
Clear statement regarding the limits to confidentiality and release of client information			
When providing services to more than one individual (i.e., couple, family or group), informed consent and documentation practice are clearly articulated			
Client name, address and contact information			
Clear description of presenting issue and description of professional service requested			
Record of care/treatment plan where appropriate			
Assessments, including risk assessments, are documented and reflect relevant information			
Social work interventions and client communications are documented in a timely manner			

Records of client sessions and contact are dated in chronological order			
Articulation of documentation practices (file storage, who has access, length of time records will be stored)			
Record is free from jargon and irrelevant information			
Use of approved abbreviations/acronyms			
Clear recording of professional decision-making			
Professional decisions are supported with clear facts			
Documentation of ethical decision-making			
Appropriate documentation of supervision sessions to reflect decision-making			
Documentation of communication with other professionals and collateral contacts			
Reports, letters and communications prepared for the client included in the file			
Reports and correspondence about the client by other professionals included in the record			
Information on client's right to view their record, as per agency policy and relevant legislation, is reviewed.			
Record is signed with one's professional designation			
Clear documentation of termination and end of professional relationship			



## Technology

Elements of Documentation	Consistently	Inconsistently	N/A
Documentation policies pertaining to electronic communications are provided to clients			
Documentation of e-mail, phone or text messages that have clinical relevance is included in the record			
Risk management strategies are used to protect client information (i.e., computer passwords, encryption)			

## Private Practice

Elements of Documentation	Consistently	Inconsistently	N/A
Fee for service agreements clearly documented			
Policies pertaining to the collection, use and disclosure of personal health information are developed in compliance with the Personal Health Information Act			
Policies pertaining to the retention of social work records are developed and clearly articulated			
Policies pertaining to client access to files are developed and communicated to clients			
Social workers who plan to leave private practice make appropriate arrangements for the secure transfer of files with the informed consent of the client			
Social workers in private practice plan, preferably with another social worker, for the transfer of their files in the case of their death. Clients are informed of how they will be able to access their records			

## References/Resources:

- Association of Social Work Boards. (2015). *Model regulatory standards for technology and social work practice*. <https://nlcsw.ca/sites/default/files/inline-files/ASWB-Model-Regulatory-Standards-for-Technology-and-Social-Work-Practice.pdf>
- Canadian Association of Social Workers (CASW). (2005a). *Code of ethics*. <https://nlcsw.ca/sites/default/files/inline-files/CASW Code of Ethics 2005.pdf>
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- Newfoundland and Labrador College of Social Workers. (2021). *Technology use in social work practice explanatory document*. <https://nlcsw.ca/sites/default/files/inline-files/Technology Use in Social Work Practice Explanatory Document Revised 2021 1.pdf>
- Newfoundland and Labrador College of Social Workers. (2020). *Standards of Practice for Social Workers in Newfoundland and Labrador*. <https://nlcsw.ca/sites/default/files/inline-files/Standards of Practice for Social Workers in NL.pdf>