Practice Notes:

Social Media and Practice: Protecting Privacy and Professionalism in a Virtual World

Lise Betteridge, M.S.W., RSW, Director of Professional Practice

Practice Notes is designed as an educational tool to help Ontario social workers, social service workers, employers and members of the public gain a better understanding of recurring issues dealt with by the professional practice department and the Complaints Committee that may affect everyday practice. The notes offer general guidance only and members with specific practice inquiries should consult the College, since the relevant standards and appropriate course of action will vary depending on the situation.

It's difficult these days to avoid almost daily references to social media in the news. As far back as 2006, the Information and Privacy Commissioner of Ontario described social networking sites as "a significant technological and social phenomenon"[1] and experts agree that social media is here to stay. New technology in general, and social media in particular, now influence social workers and social service workers in their practice in ways that would have been inconceivable even a couple of years ago. Because College members work in the social and/or psychosocial realm, and seek to optimize clients' functioning in these areas, it is critical that they have an understanding of the various ways that technology influences clients' lives. Technology and social media are also likely to play an ever-expanding role in the personal and professional lives of members themselves. This article addresses some of the issues which members may wish to consider in the age of Web 2.0 – competence, boundaries, confidentiality and advertising.

COMPETENCE AND TECHNOLOGY

Opening a personal Facebook account may seem like a completely personal decision, but the issue may not be that simple. A member called the Professional Practice Department to discuss the following scenario:

> The member, who practised in the school system, had recently opened a personal Facebook account. During the summer while on vacation, the member was contacted on his personal Facebook account by a former client. The member was very

concerned about this client's state of mind as well as her isolation over the summer months. Although he had some concerns about contacting the client while he was not at work, the member felt he should try to connect the client to community resources. He did so by responding to the client via Facebook. When he called the College, the member expressed surprise that the client had been able to contact him, and was unaware of the privacy settings that he could use on his account. The member contacted the Professional Practice Department to discuss how to handle similar scenarios in the future.

A growing number of College members have personal Facebook accounts, and this member is no exception. Prior to setting up a personal Facebook account, a member would be wise to become educated about the privacy and security settings available, and to determine the appropriate steps for maintaining professional boundaries. As Principle II: Competence and Integrity in the *Code of Ethics and Standards of Practice Handbook, 2nd Edition* states, "College members are responsible for being aware of the extent and parameters of their competence ... and (must) limit their practice accordingly."[2] Principle II also requires that "College members establish and maintain clear and appropriate boundaries in professional relationships for the protection of clients."[3]

While it may seem daunting to remain informed in the rapidly-evolving world of technology, it is ultimately the member's professional obligation to do so. The member should be informed about certain aspects of the technology, including how to manage privacy and security settings, before using it. The member should also "... remain current with emerging social work or social service work knowledge and practice relevant to their areas of professional practice."[4]

Despite the fact that the member in the scenario above believed that he was making a personal decision when he

opened his Facebook account, there is a risk that the lines between private and public, work life and personal life may be more easily blurred in the age of social media. It would be prudent for the member to consider the following: what kind of information should he post on his personal Facebook page? Is the information accessible to others outside his closed network of "friends"? How do different social media sites vary in terms of privacy? While Facebook does have extensive privacy and security options, for example, it is far less common for users of Twitter to use available settings. What should he do if and when he is "tagged" in photos on the Facebook pages of his family members or friends? What is his responsibility for this information, and how would he address it?

The member should be aware that online information about him may be in a constant state of flux, may not always be in his control, and may be there forever. It may be advisable for the member to choose privacy settings which disable the tagging feature, so that photos tagged by others cannot be viewed. Without doing so, he might be identified by clients or others doing an online search using his name. This member (and even those members without a Facebook page) could conceivably have an online presence about which they are unaware. An additional risk is that information concerning the member posted by his or her friends or family members on their own Facebook pages may come up in an online search. It is possible that a member might then find him or herself in a situation in which a client has accessed personal information about the member that he or she would not have shared in the professional relationship. It is likely that it would not be appropriate for the client to have this information, and this knowledge may significantly complicate the therapeutic relationship, thereby putting the client at risk.

While members are likely to have an online presence, professional or personal, they would be wise to assume that all the information they post could be viewed by clients, employers and colleagues. Members should also consider whether they have a further responsibility to discuss with family and friends how their online activities may influence the member in his or her professional role. Members should consider that in their practice, they must "... avoid conduct which could reasonably be perceived as reflecting negatively on the professions of social work or social service work."[5]

Members may wish to include a discussion of social media and its impact on the social work/social service work relationship at the outset of their work with clients. This could include discussion as to how they would communicate with clients and when. Principle III:

Responsibility to Clients emphasizes that College members must "... provide clients with accurate and complete information regarding the extent, nature, and limitations of any services available to them."[6]

In the scenario above, the member decided to consult with a colleague immediately about how to put strong security and privacy settings on his personal account. He also recognized that he would need to have a discussion with all new and existing clients regarding appropriate forms of communication, with specific reference to e-mail and Facebook. While he was not concerned about any of the content on his Facebook page being inappropriate or in poor taste, his recently-acquired understanding of ways that this information may be accessed made him even more cautious in choosing what to post.

PROTECTING CONFIDENTIALITY
Social media sites such as Twitter, MySpace and Facebook allow users to create a public or semi-public profile and to interact with other users. It is this interaction – the opportunity to post responses - which distinguishes Web 2.0 from the World Wide Web. Members of the College may blog about their professional lives and issues of interest to the profession, or use Twitter to tweet about current concerns. This shift in the use of the internet creates some important opportunities for informing and connecting members of the profession. Caution is warranted, however. Consider the following scenario:

> A member of the College working in a small community wants to start a blog, in which she plans to discuss issues in her area of practice and connect with others practising in similar areas in other communities. The member follows another member on Twitter and feels motivated by the ways in which this medium might facilitate networking and advocacy.

Blogs offer the opportunity for members, regardless of geographic location, to connect with each other, to identify common issues, to share knowledge, and perhaps to advocate around areas of concern. For those practising in more isolated settings, blogs may be an opportunity to become better informed and join in group advocacy. Principle II: Competence and Integrity states that members of the College "... shall advocate for workplace conditions and policies that are consistent with the Code of Ethics and Standards of Practice ..." and shall "... use professional judgement in determining how to advocate."[7] In some instances, blogs may be an appropriate part of the advocacy process.

There are, however, potential privacy and confidentiality concerns with respect to blogs. Members should be mindful that any information they post may be viewed far more broadly than they anticipated. As noted previously, once information is posted, it is no longer in the control of the member, and quite possibly cannot be removed. This raises some important questions: is the member planning to blog personally or in her professional role? In either case, is she disclosing information to which others should have access? Is her blog in keeping with the standards of practice and does it reflect the kind of professional image which she would like to promote? Does her employer have a policy on the use of social media, including blogs? How can she ensure that any information she posts does not contain any personal or identifying information with respect to clients, or information that could be used, either alone or with other information, to identify clients?

In considering these questions, Principle V: Confidentiality (in addition to the standards of practice already discussed) is relevant in its entirety. In particular, members must "... comply with any applicable privacy and other legislation ... (and) obtain consent to the collection, use or disclosure of client information..."[8] Those College members employed by an organization should also "... acquire and maintain a thorough understanding of the organization policies and practices relating to the management of client information ..." so that they are fully aware of "... when, how and the purposes for which the organization routinely collects, uses, modifies, discloses, retains or disposes of information".[9] The member in the above scenario must be careful that in her blog she does not inadvertently "... disclose the identity of and/or information about a person who has consulted or retained (her) ... unless the person consents,"[10] or provide information which could be used, either alone or with other information, to identify clients or others without their consent.

The member should also consider how a client, colleague or her employer reading her blog may react to the information. Would they potentially recognize themselves in it, even if they aren't named? In addition, it may be a breach of confidentiality to include any information pertaining to her employer and to practices within the organization, as well as any information about her team.

Members should be aware that with regard to confidentiality, publishing information on a blog is in some respects no different from publishing information in another format (although it may have broader circulation than other forms of publication). An additional challenge with blogs is that there are few if any checks and balances to enable a member to pause, take stock and use professional judgment before hitting "publish".

A FINAL CAUTION: THE USE OF TESTIMONIALS

"Comment" sections on websites are now a common feature; as members of the public, we may increasingly come to expect this opportunity to give feedback. As the organizations in which members are employed and members in private practice themselves consider adding this feature to their websites, members must consider the potential risks involved in posting or including comments – which may be considered testimonials in some circumstances – from clients and others. Consider the following:

> A member of the College decided to post her profile on LinkedIn. She received a notification that her profile was only 80% complete, and could be improved if she were to seek out "recommendations" from others. While the member could see the benefit of completing her profile according to the site's recommendations, she had some concerns about who would view these recommendations, and whether this would be acceptable from the College perspective.

Principle VII: Advertising states that members may advertise their services through "... public statements, announcements, advertising media and promotional activities" as long as these "... do not include any endorsements or testimonials".[11] Despite their effectiveness as promotional tools, testimonials are not permitted according to the Standards of Practice. Testimonials may create a kind of dual relationship in which clients come to believe that they have a different relationship with the member as a result of the endorsement that they have provided. Members must "... distinguish their needs and interests from those of their clients to ensure that, within professional relationships, clients' needs and interests remain paramount."[12]

Testimonials tend to be associated with private businesses whose goal is to sell a product or service, rather than with professional services. Furthermore, testimonials may not assist individuals in making good choices about the professional with whom they wish to work.

Members should consider whether the "recommendations" on LinkedIn or other online comments could be considered testimonials. They may also wish to consider who will be viewing the comments, and for what purpose. From a public protection perspective, the loss of control of information once it is posted online is one of the most significant challenges posed by the use of social media.

Members must use their knowledge and their professional judgement to consider the potential risks and how to address them.

This article has discussed some of the professional and ethical issues raised by social media. As this technology continues to evolve and influence our lives and practice, members will need to ensure they are sufficiently informed to use it competently and appropriately, in the best interests of their clients.

For more information, contact Lise Betteridge, M.S.W., RSW, Director of Professional Practice, at 416-972-9882 or 1-877-828-9380, ext. 225 or e-mail: lbetteridge@ocswssw.org.

---

[1] *"Think about your privacy when selecting a social networking site", News Release, October 12, 2006, Office of the Information and Privacy Commissioner www.ipc.on.ca.*

[2] *Code of Ethics and Standards of Practice, Second Edition 2008, Principle II, Competence and Integrity, interpretation 2.1.1*

[3] *Code of Ethics and Standards of Practice, Second Edition 2008, Principle II, Competence and Integrity, interpretation 2.2*

[4] *Code of Ethics and Standards of Practice, Second Edition 2008, Principle II, Competence and Integrity, interpretation 2.1.2*

[5] *Code of Ethics and Standards of Practice, Second Edition 2008, Principle II, Competence and Integrity, interpretation 2.2.8*

[6] *Code of Ethics and Standards of Practice, Second Edition 2008, Principle III, Responsibility to Clients, interpretation 3.1*

[7] *Code of Ethics and Standards of Practice, Second Edition 2008, Principle II, Competence and Integrity, Footnote 10*

[8] *Code of Ethics and Standards of Practice, Second Edition 2008, Principle V, Confidentiality, Interpretation 5.1*

[9] *Code of Ethics and Standards of Practice, Second Edition 2008, Principle V, Confidentiality, Interpretation 5.2*

[10] *Code of Ethics and Standards of Practice, Second Edition 2008, Principle V, Confidentiality, Interpretation 5.3.6*

[11] *Code of Ethics and Standards of Practice, Second Edition 2008, Principle VII, Advertising, Interpretation 7.1.4*

[12] *Code of Ethics and Standards of Practice, Second Edition 2008, Principle I, Relationship with Clients, Interpretation 1.6*