

QUALITY STANDARDS AS AN IMPLEMENTATION TOOL OF ETHICAL PRINCIPLES WITHIN SOCIAL SERVICES

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Abstract: Quality standards of social services are one of the three key elements of the system of quality guarantee in social services. They themselves do not initiate new ethical topics, but they put emphasis on some areas and they oblige the provider to document them into the internal materials of the provider. Fulfilling ethical principles during the provision of social services does not only mean seeking a solution that is sufficient, ethics also incorporates the perspective of justice and the common good. By quantifying the measurement of fulfillment in regards to the individual quality standards criteria we can evaluate how we are succeeding in implementing ethical principles into social services.

Key Words: Quality Standards, Criterion, Ethics, Social Services, Evaluation, Points.

1. Introduction

New legislation applying to social services, especially act no.108/2006 Sb. about social services, subsequently amended, does not mean only new rights and duties for the participants in the system of social services, but it also seeks to alter their behavior patterns and mutual relations. It implements new institutions necessary for the professionalization of social services, one of the institutes being the obligation to fulfill quality standards of social services. Legislation modifying social services thus creates primary conditions for the enforcement of fundamental rights and freedoms modified by constitutional laws and the principles of the European social model.

Fulfilling ethical principles during the provision of social services cannot be narrowly understood only as looking for a solution that is merely satisfactory. Rather, it is necessary to accentuate in a broader sense the requirement for the ethical correctness of the sought solution and sensitiveness to bases that play a supportive role in the proposed solutions.

2. Ethics in Social services

Ethics deals with what is right and what is wrong. It analyzes moral decisions made by people and ways they try to give reasons for those decisions [1]. In the broadest sense, ethics is a study of human behavior. Within this context we can divide ethics into two different levels:

- a) **Personal attitude and experience** – these represent fundamental behavioral patterns
- b) **Institutional rules** – in our branch, activities and, in a broader sense, in society

Specifics of ethics in social services:

- Distance from a particular and thoroughly evaluated work situation regarding the borders
- Abstract thinking leading to the creation of a scenario for an ethically acceptable solution to a professional situation
- Analysis of a presupposed scenario or an already implemented solution from the perspective of all ethically significant influences on the evaluation of the given solution

The conception of ethics proposed in this way gives enough space for the so-called 'Critical Social Practice'. *'The purpose of ethics in social work is in the first place to allow the social worker to recognize the relevant principles and values and to work with them in the appropriate context'* [2].

3. Selected quality standards of social services – the standard no. 1 and 2

Quality standards of social services do not initiate new ethical topics, but they do put emphasis on some areas and there is an obligation to document them into the internal materials of the provider of social services (guidelines, rules, organizational regulations, etc.).

The provider's guide for implementation of quality standards of social services [3] within **the standard no.1** (hereafter referred to only as 'the Guide') incorporates ethical aspects into the practice specifically within the frame of the **criterion 1.a** "Principles of the provision of social services". These principles capture and express the values by which workers are to abide by when working with users and, generally, during the provision of social services. The values can be, for example, stated in the **ethics code** that would be created by the workers of a particular service as a part of the culture in which they are working. All of the workers of the provider should participate in formulating these principles, the ethics code and other materials of this kind. Ethical behavior is not connected only with external rules of behavior within the frame of ethics codes, but also with the subjective feelings of the social worker regarding as to how the social worker should act so as that their behaviour and decision-making processes are also ethical [4]. The main evidence of fulfillment of the ethic principles is in securing the dignity of the users of social services. Emphasis is put especially on the following values: fulfillment of the rights of the users, respecting the choices made by the users, the individualization of support, concentration on the whole, and flexibility.

Respecting the rights and rightful interests of users by the provider of the service during its arrangement, continuation and termination is dealt with in the **standard no. 2**. The Guide states that the protection of the rights of users of services is the key principle in the activities of providers of social services and measurement of their quality. In all activities and at all stages of the continuation of the provision of a service it is necessary to concentrate on the prevention of the prospective violation of the rights of users [5]. The provider is obliged by the **criterion 2.a** to make written rules in order to avoid situations in which in connection with the provision of a service the violation of the fundamental human rights could occur. According to the **criterion 2.b** the provider is obliged to define situations in which there could occur a conflict of interests for the provider or worker of the facility with the interests of the users, and to define written internal rules that avoid possible conflicts of interests. The aim of the criterion is, on the basis of definition of problematic areas and situations and by using quality internal regulations, to make and implement rules that lead to avoidance of conflict of interests from the side of the facility of its employees with the interests of the users of the service. Should the conflict of interests have already occurred, the provider has to know with the use of their internal documents and other rules (e.g. ethics code) how to solve the existing conflicts and how to remove them, with regard to the interests of the user of the service. Consequences impending to the worker upon violation of the users rights are stated according to the seriousness of the violation on the level of:

- ethical (pressure by the public opinion, conscience, criticism by co-workers)
- civil-law [6] (litigation with the provider)
- labour-law (decrease or removal of personal appreciation, written censure, immediate termination of employment)

- administrative-law (administrative deliction, financial sanction, transgression)
- criminal-law (recognition of constituent elements of a particular crime, and the corresponding punishment) [7]

It is necessary to point out that conflicts of interests within the terminology of the quality standards of social services and the **dilemmatic situation** or **ethical dilemma** do not necessarily express themselves the same way. Whereas an ethical dilemma occurs when two (or more) moral values are on the same level or reasoned in contradiction of each other and the social worker has to choose which option he will implement, not every conflict of interests must automatically involve ethical values. And not every non-ethical decision or violation of the ethics code may lead to sanctions within the body of law.

4. Selected criteria of the quality standard of social services no. 1 – criterion 1.a, no. 2 – criterion 2.a, 2.b

Standard no. 1 Goals and methods of provision of social services

Criterion 1.a (fundamental criterion)

"The provider has defined in writing and published the mission, goals and principles of the provided social service and the constituencies of people that the social service is intended to, in compliance with fundamental principles of the provided social service that are defined by law, with the type of the social service and with individually given needs of people that the social service is provided to; the provider proceeds in accordance with this mission, goals and principles."

Standard no. 2 Protection of human rights

Criterion 2.a (fundamental criterion)

"The provider has processed written documentation with internal rules for avoidance of situations in which in connection with the provision of a social service the violation of the fundamental human rights and freedoms could occur and for procedures in case violation of these rights have already occurred; the provider proceeds in accordance with these rules."

Criterion 2.b (fundamental criterion)

"The provider has processed written documentation with internal rules defining situations in which the conflict of interests of the provider with the interests of the people to whom the provider provides the social service could occur, including rules that solve these situations; the provider proceeds in accordance with these rules [8]".

Evaluation of the fulfillment of criteria abides by the methodology of inspections (on a scale from 0 up to 3 points, while the figure 0 is the lowest evaluation possible).

0 points = (non-conformity) the criterion is **not fulfilled**, there is no evidence of fulfillment of the criterion, there is almost no activity within the observed area, some good thoughts or ideas are in existence, but they are not being implemented.

1 point = (partial conformity) the criterion is **fulfilled partially**, there are certain individual evidences of fulfillment of the criterion, the criterion is fulfilled on an occasional basis in some aspects of the observed area, but these aspects are not documented and systematically observed.

2 points = (predominant conformity) the criterion is **fulfilled sufficiently**, fulfillment of the criterion is described in the provided explicit evidences of sufficient solution of the observed

area, application of a systematical approach, practice is regularly and routinely reviewed and improved upon.

3 points = (conformity) the criterion is **fulfilled excellently**, there is comprehensive evidence of the fulfillment of the criterion, there is evidence of excellent results and approaches towards a solution and improvement in the predominant majority of aspects in the observed area, solution of situations in documents as well as in practice is in compliance with the law [9].

Note: In case of a fundamental criterion, evaluation has to be either 2 or 3 points so that the criterion would be fulfilled. There are totally 15 quality standards of social services in the public notice no. 505/2006 Sb., and those are divided into 48 criteria out of which 17 are fundamental. Maximum number of points that can be reached is 144.

Tab.1: Fulfilling the criterion 1.a – of the quality standard of social services in the year 2008 in the Pardubice region

Standard no. 1	Evaluation 0 points	Evaluation 1 point	Evaluation 2-3 points	Total number of inspections
Criterion 1.a	0	15	11	26

Source: Total evaluation of inspection activities for the year 2008 in Pardubice region [10].

Interpretation of the result:

57,69 % of providers did not fulfill the **criterion 1.a**, at least for 2 points. None of the providers was evaluated for 0 points. 15 providers were evaluated for 1 point, which corresponds to partial fulfillment of the criterion.

Tab. 2: Fulfilling the criterion 1.a – quality standard of social services for the period from 1 to 9/2009 in Pardubice region

Standard no. 1	Evaluation 0 points	Evaluation 1 point	Evaluation 2-3 points	Total number of inspections
Criterion 1.a	1	4	14	19

Source: Total evaluation of inspection activities for the period from 1 to 9 /2009 in Pardubice region [11].

Interpretation of the result:

Within the period from January till September 2009 26,32 % of providers did not fulfill the **criterion 1.a**. Even though in comparison with the year 2008 there is one provider that was evaluated for 0 points, it is evident that the quality within this observed point is increasing.

Tab. 3: Fulfilling the criterion 2.a, 2.b – quality standard of social services for the year 2008 in Pardubice region

Standard no. 2	Evaluation 0 points	Evaluation 1 point	Evaluation 2-3 points	Total number of inspections
Criterion 2.a	4	9	13	26
Criterion 2.b	2	9	15	26

Source: Total evaluation of inspection activities for the year 2008 in Pardubice region [10].

Interpretation of the result:

In 2008 the **criterion 2.a** was not fulfilled by 50 % of providers and the **criterion 2.b** was not fulfilled by 42,31 % of providers. Quality standards of social services are mutually blended and in terms of contents they are connected to each other. It is not easy to consider one standard more important than the other one, nevertheless, the standard no. 2 deals with protection of human rights. From the above-mentioned table it is evident that in almost 50 % of all conducted inspections of providers of social services in 2008 the protection of human rights was not sufficiently secured, or written rules were not created on the required level.

Tab. 4: Fulfilling the criterion 2.a, 2.b - quality standard of social services for the period from 1 to 9/2009 in Pardubice region

Standard no. 2	Evaluation 0 points	Evaluation 1 point	Evaluation 2-3 points	Total number of inspections
Criterion 2.a	2	5	12	19
Criterion 2.b	3	1	15	19

Source: Total evaluation of inspection activities for the period from 1 to 9 /2009 in Pardubice region [11].

Interpretation of the result:

Within the period from January to September 2009 **the criterion 2.a** was not fulfilled by 36,84 % of providers and **the criterion 2.b** was not fulfilled by 21,05 % of providers. In this case it is evident that there was a positive change and from the qualitative point of view social services are heading in the right direction.

The provider evaluates what rights can be realized by the user on their own, in fulfillment of which rights the user will need assistance from the provider in and, eventually, fulfillment of which rights for a particular user could not be fully ensured.

If they do not succeed in fulfilling some law entirely, due to whatever reason from the side of user or provider, this situation should be described, including the reason why the law cannot be fully realized and procedures that may lead to improvement of the situation [12].

But social work deals with such complex and individual life situations of clients that it is not possible to entirely exclude contradictions of ethical and legal requirements.

Professionalism in social work means an ability to handle the uncertainty of a choice [13]. In social work certainty in the decision-making process mostly cannot be reached, but it can be approached.

Tab. 5: Decisions of a social worker can be:

Decision	With ethical standards	With legal regulations
1)	In compliance	In compliance
2)	At variance	At variance
3)	At variance	In compliance
4)	In compliance	At variance

Source: Reamer F. G., Ethical and Legal Standards in Social Work: Consistency and Conflict, Families in Society, The Journal of Contemporary Social Services Volume 86, No. 2, 2005, p. 163 – 170, [14].

Situation no. 1. The decision of a social worker is in compliance with ethical standards as well as legal regulations. The situation does not raise a moral dilemma. For example, a social worker informs a user about their rights and duties. The basic social consultancy, in accordance to act no. 108/2006 Sb. about social services, subsequently amended, has to be provided by every social service.

Situation no. 2. The decision is not in compliance with ethical standards, nor with legal regulations. This situation does not have to necessarily raise a moral dilemma, either. For example, a social worker violates a legally bound obligation of discretion and conveys the personal or sensitive data of a particular user to a third person.

Situation no. 3. The decision of a social worker is in compliance with legal regulations, but it is at variance with the principles of the profession. In this case a social worker may experience a serious dilemma. For example, a social worker strictly follows the procedure in accordance to a valid internal direction and upon a user's behavioral offence the social worker cancels the user's contract of provision of a particular social service (the social worker evaluates the situation as the reason for cancellation), even though s/he is aware that in the immediate perimeter an alternative social service is not provided.

Situation no. 4. The decision is consistent with ethical standards, but not with legal regulations. In this situation there is a serious dilemma. For example, the provider has only one social worker that is, in relation to a particular person interested in a given social service, aware of their vocational and professional limitations, but is not allowed to refuse the person interested and to "forward" them to another adequate social service because there is not a thoroughly defined reason for refusal in accordance to the law of social services. The social worker still proceeds by securing the help of a different provider.

5. Conclusion

Fundamental principles of the quality of social services in accordance to a new enactment are the principle of the protection of the human rights of the user, the principle of individualization of a service, the principle of professionalism and the principle of operational security. And it is the quality standards of social services that should be the fundamental elements for an increase even in quality control.

Without intending to draw generally applicable conclusions out of the existing results and the comparisons of the fulfillment of the criteria 1.a, 2.a, 2.b of the quality standards of social services, it is evident that social workers are aware more intensely of the ethical aspects of their role and in the implementation of the contents of the standards into practice so that the application of ethical principles in social services takes place.

Greater responsibility, tolerance, empathy, an ability to listen and communicate, as well as to act in an ethical way are thus rightly expected particularly of people in the roles of assisting professions. They can thus significantly help with the elimination of the negative effects that disturb us within our society, particularly by the disconnection of the modern citizen from timeless values and the violation of social relationships and the values of everyday life.

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