Handout 8 - Strains in the Casework Relationship

Despite the caseworker's commitment to the principles of:
• self-determination,
• confidentiality,
• privacy, and
• trustworthiness,
situations can arise which create a conflict for the worker, diminishing their capacity to fully uphold these values.

These strains can be caused by:

1. Requirements of legislation that override the individual rights of the client. This occurs particularly where the worker and client are subject to child protection legislation, mental health legislation or legislation governing criminal activities.

Caseworkers must work within the law. State legislation governing the protection of children at risk of harm can conflict with the rights of clients to disclose information to caseworker in confidence. This means that the worker must breach the ‘in confidence’ disclosures of adult clients who disclose behaviour which places a child at risk or a minor who tells a worker “in confidence” about the abuse they are currently experiencing or have experienced in the past.

In most states community service professionals are legally required to report children or young people who are ‘at risk of harm’. A child or young person may be ‘at risk of harm’ because their physical and psychological needs are not being met, because they are not receiving necessary medical care, where they have been or are at risk of physical or sexual abuse, exposure to domestic violence or serious psychological harm.

Where a worker receives information about a child who may be at risk, the child’s right to protection from harm overrides the client’s right to confidentiality. The caseworker must notify the local child protection authority.

The new National Privacy Principles, which came into force on 31 December 2001, contain guidelines relating to other circumstances in which workers may use or disclose information given about clients. These relate to statistical collection and analysis of health information; clients who are unable to give informed consent due to age, mental health or intellectual disability factors; and responding to the legitimate activities of, or reporting to, law enforcement authorities.

2. Requirements of the caseworker's employer. Caseworkers often have their roles clearly defined according to the nature of the service they are contracted to provide. Their employer will usually have a contract with a funding body who has contracted with the agency or organisation to provide a very specific service, often one identified on the basis of state, territory or commonwealth government policy. Employers may be under strong pressure to follow stringent guidelines, or to provide very detailed analysis of program outcomes as specified in their contracts. This can mean that when a client asks for help with an issue that is important to them, the worker may have to decline on grounds that may seem simply ‘bureaucratic’ to the client, who may then feel let down or betrayed.
Similarly, the employer may have other reasons for imposing limits on what the worker may do in their casework role, including service philosophy, professional orientation (eg a supervisor may be a psychologist and the caseworker a social worker), or broader concerns about working relationships with other government or non-government services. For example, a caseworker may feel that a client's Mental Health Service worker isn't particularly competent in an area that the client needs help, but doesn't seem to be aware of their lack of skill. The caseworker may want to discuss this with the client, with a hope that the client will be willing to be referred elsewhere. During supervision, the caseworker brings up her intentions, but is told by the supervisor that she can't do it because the agency is currently negotiating a Memorandum of Understanding about co-working relationships as a precursor to a New integrated Service delivery project with the Mental Health Service.

3. **Requirements of a third party to whom both the client and the caseworker's employer are accountable.** This could be state child protection authority, the Children's Court, the local Disability or Housing authority. The caseworker's brief may involve working with the client to try to achieve some requirements set by the third party, where the third party has also set some limits around how much flexibility the client and caseworker have.

For example, a client is renting a Housing authority property and has let garbage accumulate to the point that it has breached the authority's basic hygiene standards, putting the client in breach of his lease. The caseworker's role is to see if the tenant can be helped to clean the house and yard to the standard required and maintain the property at that level. While the tenant accepts that there is a problem and help is required, his circumstances are complex. He is on methadone as well as a strong antipsychotic medication, which leaves him feeling tired and with little energy to take care of his daily needs, let alone a project requiring a significant amount of personal effort. The property manager is under pressure to get the matter resolved, perhaps because the neighbours have gone to the papers, talkback radio and their local MP who sits on the opposition benches, and is not interested in allowing the caseworker extra time to work with the tenant.

4. **The dilemmas posed by involuntary clients:** Clients are often coerced into agreeing to receive a service, and this may not be known to the caseworker prior to their commencing work with the client. The coercion may come from:

- a court order (eg after an incident of family violence in which the police were called and charges were laid);
- the threat of statutory intervention (eg in child protection matters, parents may be directed to have a family support program worker come into the family home to assess and help them develop their parenting skills);
- a partner threatening to end a relationship if the person doesn't agree to see someone (eg husband discovers his wife has developed a gambling addiction after police are called to free their daughter who has been left in the car in the car park at the local Leagues Club, while she plays the pokies inside. Caseworker involvement may be resented, or the need for assistance denied, if clients:
  - are not 'owning' the problem (ie deny they have a problem);
  - minimise their inability to successfully deal with the problem; or
  - admit that they have a problem but aren't ready to deal with it yet.
In these situations, the caseworker's legitimacy may be diminished by the client seeing them as an agent of the other party (State Child protection authority, the husband etc). The challenge for the caseworker is to help the client come to see them as an ally in achieving the client's goals, while still addressing the purpose of the referral.

5. The difficulties of risk management

Caseworkers sometimes are expected to working in settings where they may be exposed to danger, either because the client, or someone known to the client, has the capacity for dangerous behaviour. The danger may be known at the time of referral, or may emerge during the course of service provision. Clients may not understand agency policies around ensuring worker safety, and may have difficulty with what workers choose to do in these circumstances.

Eg: A client's ex-partner, who has a restraining order because of past and recent violence, believes that the presence of the worker is an obstacle to his getting back together with the client. He puts the house under surveillance in order to threaten or even assault the worker when she comes to visit the client, in order to get rid of what he sees as her 'unwanted interference'. He phones the client on his mobile to tell her he is coming over. She goes into survival mode and becomes paralysed with fear, but manages to tell the worker what's happening. The worker fears for the safety of the client, but also for her own. She tries to convince the client to leave the house and come with her, but the client refuses. She leaves, and calls the police. The ex-partner is arrested.

When the worker next visits the house, she is surprised to find that the client is very angry at her, refusing to let her into the house. The client clearly feels that the worker had abandoned her, saying that she should have stayed with her, because the client had been afraid that her ex was going to really hurt her, as he had on previous occasions. The worker tries to point out that she had asked the client to leave the house with her, but the client believes that support means the worker doing what she had wanted at the time.