

Boundary Issues in the Professional/Client Relationship

by Claudia Newman*

Introduction

Should you ever share personal information with a client? Do favors for a client? Accept gifts from a client? Is it yes, no, maybe, or dependent upon the circumstance or context? On the surface, these actions appear to be innocent and harmless. However, is the professional/client relationship altered in any way?

The professional/client relationship is defined by boundaries. Paraphrasing Marilyn Peterson, from her book *At Personal Risk* (1992), these boundaries are the limits that allow for a safe connection between you and your client and are always based on your client's needs—not wants.

A boundary violation occurs when you place your needs above the needs of your client and you gain personally and/or professionally at his or her expense. And the prevailing root causes can be found in such innocent actions as noted above.

However, if you answered yes to any of the three questions at the beginning of this article, it does not mean necessarily that a boundary violation occurred. Rather, it is a red flag that the boundaries between you and your client may not be as well defined as you may believe them to be. This blurring of boundaries may occur for a number of reasons.

It may be as simple as slipping into patterns of practice that are not client centered without realizing that you have done so. Or not knowing that a particular boundary exists. Or not liking a particular “rule” or policy and choosing to ignore it. Or not knowing how to reestablish boundaries when your clients push them.

Power Imbalance

The need for professional boundaries is rooted in the power imbalance that exists between you and your client. This power imbalance exists by virtue of *your clients' need for your professional expertise and knowledge*. This point of intersection creates inherent client vulnerability. Within this vulnerability, your client trusts that you will “do good” and not cause harm. In other words,

*Claudia Newman, MSW, RSW, is the principal of NCA Associates in Ontario, Canada, where she helps organizations and staff increase their awareness of appropriate boundaries between themselves and their clients. She can be reached by email at cnewman@ncaassociates.com.

your client believes and has faith that you, while in your professional role, will fulfill your ethical obligations of beneficence and non-maleficence. (Although addressing the individual professional, the power imbalance is applied equally to organizations in their relationship to their clients as a group, their employees, and other external stakeholders.)

The topic of professional power is one that creates enormous discussion. Do you like this thing called power? Do you not like it? Does it conjure up thoughts of control, coercion, authority, or accountability or

an unconscious decision, or a purposeful decision with the best of intentions. And for a very few, in fact, it may be a malicious and purposeful decision.

Exploring Professional Boundaries

Within the context of the power imbalance, what defines or prescribes the boundaries that create the limits of that safe connection between you and your client? Laws, Acts, statutes, regulatory codes of ethics and standards, organizational codes of ethics, and policy and procedures all define

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responsibility? Does it create a “one up one down” situation with your clients?

All that being said, your professional power is real, and your acceptance or non-acceptance of this reality will shape the relationship that you have with your clients. Ultimately, it will be the primary factor in determining whether or not you “do good” or “do harm” in the work that you do. So, as a professional, you must be very clear about the power that you have. This requires you to:

- **Recognize** that the power exists;
- **Understand** the elements of that power;
- **Accept** that these elements create an imbalance within your professional/client relationship, and then;
- **Use** your power appropriately within the professional/client relationship.

Choosing to Own Your Power or Not

At times, you may feel that you do not have “the power” and that in fact your clients do. Or you may feel that as you empower your clients, your own power is reduced or minimized. However, in reality what you are doing in these circumstances is making a choice. That choice is not to exercise your power for your own personal reasons, and that not exercising your power appropriately may be an innocent decision,

or prescribe the behaviors expected of you in your relationship with your client. And in doing so, they constitute the boundary framework. Stepping outside the boundary framework may result in an adjudicated boundary violation by employers, regulatory authorities, arbitration processes, or criminal and civil courts.

The boundary framework places upon you both an obligation and a responsibility. You must know what conduct is expected of you by your employer, your regulatory authority, and by any pertinent superseding legislation. And you, the professional, are *solely* responsible for maintaining that safe connection regardless of who is pushing the boundary.

Ultimately, the components of the boundary framework can be used to measure whether you fulfilled your fiduciary duty to your client. In other words, did the service that you provide reflect what you promised the client, and is the service true to your regulatory requirements, your organizational duties, and the pertinent laws of the land?

While it is essential to understand what the boundary framework is directing you to do behavior-wise, it is equally as important to understand the flip side—in other words, what it is directing you *not* to do. By putting a face to the ethical principle, *first do no harm*, you enhance your ability to critically

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reflect upon and analyze your actions when faced with boundary issues. Having knowledge of both sides of this coin not only helps to safeguard your clients and their rights but also gives you a key risk management tool.

Whether it is you, the professional, crossing the boundary or the client pushing the boundary that you then cross, the boundary framework is intended to prevent you—and this is applicable equally to an organization as a whole in its relationship with the

- You have deceived your client because you know that he/she would have had more time to discuss his/her issues if it were not for the fact that you were running late. And your client may not be aware that he/she has a right to a fully informed discussion.
- You manipulated your client because you have the power to control the time allotted and the extent of information provided.
- You treated your client as an object by hurrying him/her through the appointment.

And finally, don't panic—you are human. There will be days when you are tired . . . when you are feeling pressed for time . . . when you are simply unsure of how to put the boundary back into place.

public that it serves and its other stakeholders—from the temptation to:

- Take short cuts;
- Deceive or cheat your clients;
- Manipulate your clients;
- Treat your clients like objects;
- Let your personal bias of what is right, good, fair, or just shape your professional/client relationship;
- Gain personally and/or professionally at the expense of your client, including financial, physical, emotional, or social self-gain.

While these behaviors imply a willful and perhaps malicious intent to harm a client, and while you may react strongly to any suggestion that indeed you may act on these temptations, in reality all behaviors can be present in seemingly innocent situations. And though innocent in their intent, the potential impact of harm is the same as if the actions were deliberate.

Consider the following example: *You are running late. In an effort to get ahead, you shorten the time with your next client.* Certainly, no harm intended. However, for illustrative purposes, you have “committed” all the above misbehaviors:

- You have taken a short cut by not giving your client all the time that he/she may require.
- You have cheated your client of time to talk about his/her issues, options, etc. In turn, this may mean that he/she does not have all the information needed to make an informed decision and ultimately to give an informed consent.

- You let your own bias of what was right and fair in this situation shape your actions with your client.
- And, finally, you acted for your own self-gain—that of getting ahead and not running even further behind.

Impact and Intent

Finally, and equally as significant, is your recognition and understanding that the *intent* of your actions or words may be vastly different than the *impact* felt or experienced by your client. *And what your client believes that you intended becomes his or her reality.* The client will like it, not like it, feel indifferent about it, feel unsure about it, or feel that he or she was harmed by it. Regardless of who is pushing the boundary, this subjective interpretation of your intent will be the driver for what your client chooses to do about the situation, if anything.

Consider the following example: *You accept a gift from your client.* In its purest form, receiving any gifts from clients puts you in a direct conflict of interest. In other words, you gain personally, and that may be construed as having an impact on your future interactions with that client. *Real, potential, or perceived*—what was the purpose of the gift? Is it a tip? Is it a bribe (e.g., to obtain faster services or more services)? Is it simply a heartfelt thank you? How do you determine what is acceptable and appropriate? *Real, potential, or perceived* considers the notion of friendship introduced into the professional/client dynamic. In other words, is your professional/client relationship muddled or blurred now in any way?

These questions underscore some of the inherent difficulties in accepting gifts from your clients. And as emphasized throughout this discussion, it is your sole responsibility to maintain that safe connection between your client and yourself. However, your clients do like and want to thank you at times, so how do you make it safe for them?

The simplest way is to have an organizational policy that defines the parameters of receiving gifts. In addition to defining the threshold permitted, the policy promotes consistency within the organization. A word of caution—the policy should not contain any “fuzzy” language that is open to personal interpretation, such as the phrase “gifts of nominal value,” because words to this effect bring your own bias into play—e.g., what is your personal definition of “nominal value”?

Tips and Tools

How do you assess if you are at risk? And what do you do if you are? What happens when there is that uncomfortable feeling that something is not right or that the boundaries are pushed or crossed? From a preventative perspective, you can ask yourself the questions below:

- First and foremost, whose needs are coming first, yours or your client's?
- Have you been clear with your client and defined the service parameters and your role?
- Does your client have all the information that he/she needs to make a fully informed decision?
- Do you make your client feel special?
- Do you enter into self-disclosure?
- Are you always right?
- Do you make your own rules?
- Do you develop friendships with clients?
- Do you enter into touch of a personal nature with clients?
- Do you give your home number, email address, or include your clients as “friends” on Facebook or other internet social network?
- Does your action contravene any law, Act, professional standard, or organizational policy?
- Can you explain why you took this course of action? Would a reasonable person in your profession take the same or similar course of action if faced with the same dilemma?

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And when faced with an issue that is causing you to pause:

- Consult, consult, consult;
- Brainstorm options and consider the strengths and weaknesses of each;
- Choose an option;
- Document the option *and* the rationale for choosing that particular option;
- Develop and implement an action plan;
- Evaluate the action plan and modify as required.

Conclusion

And finally, don't panic—you are human. There will be days when you are tired. There will be days when you are feeling pressed for time. There will be days when you are simply unsure of how to put the boundary

back into place. There will be days when a client may ask something of you and you do not know what to say without causing hurt or offense. Nevertheless, it is solely your individual professional responsibility to maintain the boundaries. Therefore, the heart of ethical practice is taking responsibility for your actions, seeking the advice or consultation you need to restore the boundary appropriately, and, ultimately, continuing to learn and grow professionally as a result.

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discrimination and disparity of services at various points in the evolution of correctional institutions designed, in one way or another, for their compliant or

coerced use. But Silberman suggests that life at these institutions is complex, depending on a facility's relationship with men's prisons, women's access to the courts, the quality and influence of correctional leadership, and even the

level of women's resistance to rehabilitative interventions.

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