Introduction

As for actions taken by the government within social assistance it is of great importance to improve the financial condition and equal opportunities in life of socially and economically vulnerable social categories. The practical implementation of social policy is the responsibility of social work aimed at improving social functioning of individuals (both individually and in groups) through actions aimed at their social relationships that affect the interaction between people and their environment. Institutions of social assistance are trying to restore (revive) lost or impaired social functioning capabilities, to provide individual and collective resources and prevent social dysfunction.

Social workers have important roles to play within the social welfare system. Provisions relating to conditions to be met by a person employed in the profession of social worker are governed by the law on social assistance. In addition, it defines the responsibilities of social workers. The law does not regulate the detailed rules of conduct of social workers, hence, while covering a lot of professional roles they should be guided by the principles of the code of ethics, taking into account the specific nature of their profession. This code allows to specify moral value of an act, and thus allows to assess whether it is good or bad.

The purpose of this paper is to present the legal and ethical considerations relating to the profession of social worker. In the preparation of this article various sources were used including legal acts, comments, the code of ethics of social worker and the contents on the discussed profession and its legal and ethical considerations.

Legal regulations concerning the profession of social worker

In every society there are people who are not able to independently provide conditions for a dignified life for themselves or their families. The task of the state is to meet the basic needs of the population on the available level. These tasks are carried out by the social welfare system. Social assistance is an effect of social security, which complements the social safety net in case of poverty and life problems accompanying it, which could not be solved within the framework of social policy programs\textsuperscript{1}. The practical implementation of

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social policy is the responsibility of social work aimed at enabling individuals, families and groups to overcome the difficulties of life. Social policy institutions seek to restore lost or weakened abilities of social functioning and prevent social dysfunction\(^1\). Social assistance activities are regulated by the provisions of the Social Assistance Act of 12 March 2004 (consolidated text: Journal of Laws of 2013, item 182)\(^2\). In accordance with Art. 2 of that Act, social assistance is an institution of social state policy, designed to enable individuals and families to cope with difficult situations in life which they are not able to overcome using their own powers, resources and opportunities\(^3\).

Discussing the competence of social workers one should refer to social work and its essence. The definition of social work has been included in Art. 8 of the Law on Social Assistance. Under this provision, social work can be described as a professional activity aimed at helping individuals and families in strengthening or regaining the ability to function in society and creating conditions conducive to that end\(^4\). A more developed definition of social work can be found in the resolution of the Committee of the European Council of 1967 according to which, social work is a specific professional activity which aims at favouring a better mutual adaptation of individuals, families, groups and the social environment in which they live, and developing the self-respect and self-responsibility of the individual\(^5\).

Social workers, who constitute the staff of social welfare centers, implement in practice the objectives and functions of social assistance. To become a social worker, a person should have appropriate professional education. The profession of social worker belongs to a group of professional occupations associated with helping\(^6\). The legislator pays particular attention to the education and enhancement of professional qualifications of social workers. Professional standards of social work are included in the programme documentation for the profession of social worker, developed by the Ministry of Labour and Social Policy and the Ministry of Education in 1993. This documentation contains a catalogue of specific skills: methodological, social, managerial, skills related to the application of knowledge in the field of law, connected with indicating competent institutions, decision-making skills and the ability to make immediate social intervention, the practical application of

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\(^2\) Social Assistance Act of 12 March 2004 (consolidated text: Journal of Laws 2013, item 182)

\(^3\) Art.2 of the Social Assistance Act of 12 March 2004

\(^4\) Art.8 of the Social Assistance Act of 12 March 2004


scientific knowledge and the use of technological achievements throughout professional work\(^1\).

In accordance with Art. 116 section 1 of the Act on Social Assistance, a person can become a social worker if they meet at least one of the following criteria:

1. graduated from post-A-level colleges for social service employees;
2. graduated studies in the field of social work;
3. graduated studies specialising in social work in one of the disciplines: education, special education, political science, social policy, psychology, sociology, family studies before 31 December 2013\(^2\).

Notwithstanding the foregoing criteria, the profession of social worker can be performed by people who:

1. were employed as social workers before the entry into force of the Act on Social Assistance (i.e. before 1 May 2004),
2. completed higher education studies in: pedagogy, psychology, political science, social science, or sociology before 1 May 2004,
3. graduated with Master degree in pedagogy, psychology, political science or sociology within a period of three and a half years from the date of entry into force of this Act\(^3\),
4. received a diploma of acquisition of professional title in the profession: social worker before 1 January 2008,
5. received a diploma of higher vocational education with a specialisation in social work before the entry into force of the Act,
6. completed or continued higher education with a specialisation in social work at one of the fields: education, political science, social policy, psychology, sociology and family studies before 1 January 2008. The right to exercise the profession is subject to the completion of these studies\(^4\),
7. started studies (bachelor's or master's degree) in the fields: pedagogy, psychology, political science, or sociology before 1 May 2004,
8. before the entry into force of the Act were employed on the position of a social work aspirant provided that they complete their studies in the fields of: pedagogy, psychology, political science or sociology, and receive a bachelor's degree in a period of three and a half years from the date of entry into force of the law or they had been employed as social work aspirants before the entry

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\(^2\) Art.116 par. 2 of the Social Assistance Act of 12 March 2004

\(^3\) Art. 156 of the Social Assistance Act of 12 March 2004

\(^4\) Art. 156 of the Social Assistance Act of 12 March 2004
into force of the Act. This applies to people who had completed a master degree in the fields of: pedagogy, psychology, political science or sociology within a period of five and a half years from the date of entry into force of the Act\(^1\).

The social worker’s catalogue of duties and responsibilities is specified in Art. 119 of the Act on Social Assistance. Under this provision, social workers’ tasks include, in particular: social work, analysing and evaluating circumstances where social assistance is required and making it possible to obtain this assistance, providing information, advice and assistance on resolving difficult situations in life to people who, as a result of that help, will be able independently to resolve the problems that are the cause of their difficult circumstances; effective use of legal provisions in the realisation of these responsibilities, assisting persons in difficult circumstances to obtain advice on how to solve problems and obtain assistance from the appropriate state and local institutions and non-governmental organisations as well as providing support to obtain this help.

One of the duties of social workers is also determining entitlement to benefits, which is done primarily by carrying out the family environment interviews. Social workers provide specialised counseling, information, guidance and assistance on resolving life matters for those who will be able to independently overcome difficult situations with such support. Due to the type of service provided, social workers should demonstrate knowledge and proficiency in the application of relevant provisions of the law.

People applying for support often require specialised assistance, which cannot be provided by social workers. They should, however, have information about the possibility of obtaining professional help and offer advice on this matter, or refer people in need to the competent authorities and other organisational units\(^2\). The Social Assistance Act also mentions other social workers’ responsibilities, such as: stimulating community action and inspiring self-help activities in order to satisfy the needs of individuals, families, groups and communities, cooperation with other specialists in order to combat and reduce the pathology and consequences of negative social circumstances, mitigate the effects of poverty, initiating new forms of assistance to persons and families that are in difficult circumstances and encourage them to approach institutions that provide services to improve the situation of such persons and families, participation in inspiring, preparing, implementing and developing regional and local social assistance programmes to improve quality of life\(^3\).

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1. Art. 156 par. 3a, 4, 5 of the Social Assistance Act of 12 March 2004
3. Art. 119 of the Social Assistance Act of 12 March 2004
The duties and responsibilities listed in Art. 119 of the Act on Social Assistance do not constitute an exhaustive list of competencies\(^1\). The legislator pointed to the most important areas of professional activity. Specific duties are adapted to the requirements laid down for social workers in connection with their position.

Performing the profession of a social worker is associated with a mission, public service. Certain aspects are necessary in professions perceived in such a way, namely, respect for the values, principles of social coexistence and compliance with certain standards of conduct. Within the scope of their responsibilities, social workers should protect human rights, the dignity of the individuals and families that they serve, and their right to determine their own future. Responsibilities of social workers should be analysed in the context of the principles, objectives and tasks of social assistance and procedures for granting and payment of benefits. The provisions of the Social Assistance Act stipulate a number of duties relating to persons that use them, including social workers. They should observe professional secrecy and protect the personal rights of persons using social assistance, likewise, they should not make the names of beneficiaries and the nature and extent of the benefit granted available to the public. The personal data of social assistance beneficiaries (applying for it) may be processed only to the extent necessary to award benefits. Most workers are employed in the organisational units of public administration, therefore, in the public service, they should be guided by such principles as: law-abidingness, legal equality, administrative transparency and the right of citizens to information. The last of these principles is expressed in Art. 119. Paragraph 2 Section 4 of the Act on Social Assistance\(^2\).

The occupation of a social worker is one of those professions that require special sensitivity to social injustice. Therefore, a person who is a social worker should be characterised on the basis of new law (de lege ferenda) by such features as: kindness, caring, selflessness, honesty, trustworthiness, he or she should also have organisational skills and sense of humor. Social workers should act in the interests of the persons who need to obtain assistance, and at the same time strive to strengthen their independence and prevent making them dependent on benefits. Establishing a solid and uniform list of tasks for social workers is not possible. These responsibilities are subject to change according to changes in the public administration. Social assistance benefits are subject to differentiation, which is inextricably linked to the new responsibilities of social workers. One can highlight individual exemplary programs for: the homeless, refugees, persons subject to social employment and social contracts that are

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\(^1\) I. Sierpowska, Komentarz do Art. 119 ustawy..., p. 497.

developed and implemented by social workers. Also, the Act of 9 June 2011 on family support and foster care system, (consolidated text: Journal of Laws of 2013, item 135) provides additional tasks for social workers. Pursuant to the provisions of this Act, social workers may be employed as family assistants system of the performance working time, as well as on the basis of service provision agreement. One cannot ignore the tasks arising from the Act of 13 June 2003 on Social Employment (Journal of Laws of 2011, No. 43, item 225, with subsequent amendments). They result from, among others, the establishment of centers of social integration, which are supposed to employ members of this professional group. A wide and varied list of responsibilities reveals many roles that social workers must play nowadays. They are, first and foremost, local community organisers, animators, coordinators, social workers, teachers and tutors. They bring not only support for those in need, but also contribute to their improvement, the feeling of being appreciated and a positive attitude to life and further changes.

The legal position of social workers is inconsistent and largely depends on the place of employment, post and employer. The law provides for the possibility of hiring social workers by entities performing tasks in the field of social assistance, i.e. by the central and local government administrative bodies and by other public and private entities.

**Characteristics of codified professional ethics in the profession of social worker**

General ethics while attempting to identify and settle regulatory issues relating to the specific, model social situations, provides a basis for determining the rules of human functioning in the situation arising from a specific social or professional role. It can be said that it is a description of appropriate behaviour, i.e. actions that implement values. General ethical standards are the basis for the development of professional codes of ethics. According to Jan Szczepański, professional ethics is a set of standards and guidelines that result from the traditions of the profession, the spirit of national culture as well as basic ethical guidelines adopted by society and applied to the profession. Szczepański believes that the rules of professional ethics relate primarily to internal human

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1. Act of 9 June 2011 on family support and foster care system (consolidated text: Journal of Laws of 2013, item 135)
qualities and determine their conduct in professional matters based on the
criteria of good and evil, injustice and justice\textsuperscript{1}.

The code of ethics for social workers was developed based on the overall
evaluation and ethical standards. It contains universal values and the resulting
standards as well as the moral content specific to the profession. The content
contained therein uphold the dignity of the profession and simultaneously
demonstrate how the representatives of the profession should behave as well as
how they should not proceed\textsuperscript{2}.

The code of ethics for social workers\textsuperscript{3} was developed by the Polish
Association of Social Workers and adopted at a meeting of the organization in
1998. It is a kind of catalogue of duties regulating social workers’ behaviour
and classifying the behaviour as acceptable and unacceptable. It clearly defines
what is allowed and what is not allowed with regard to professional activities as
well as to the subject of the actions\textsuperscript{4}.

The code contains a preamble and six sections. The preamble states that
the profession of social worker is not only a specific occupation, but also a vo-
cation intended to meet the specific needs of society and ensure high quality of
services. In order to achieve common objectives social workers unite in
professional associations. They also have their own code of ethics, which is
a set of guidelines for everyday professional conduct. It is not only a set of
instructions and prohibitions for people who have decided to pursue the
profession of social worker but it also conveys important social values. These
include i.e. actions for the common good of society, improvement of the living
conditions of individuals and groups, activity for social justice. Code of ethics
by specifying the standards of behavior of a social worker, tries to take control
of possibly the most important spheres of their activity with the use of ethical
regulations. Therefore, it is a basis for resolving ethical dilemmas or conflicts if
a social worker’s conduct is questionable, because it does not meet the
conditions contained within or resulting from the code. The provisions of the
code refer to the profession, relationship with coworkers, beneficiaries,
employers and society. While preparing the document Association of Social
Workers was guided by a concern for high standards of the profession they
represent, which should inspire public confidence. A society that uses the

\textsuperscript{1} J. Szczepański, Socjologiczne zagadnienia wyższego wykształcenia, wyd. 1, PWN, Warszawa
1963, p. 361. See. E. Kantowicz, O profesjonalizacji pracy socjalnej raz jeszcze, Praca Socjalna
(2009), No. 1, pp. 27-28.

\textsuperscript{2} I. Lazari-Pawłowska, Etyki zawodowe jako role społeczne, in: Etyka zawodowa, ed. A. Sarapata,
Książka i Wiedza, Warszawa 1971, pp. 33-34.

\textsuperscript{3} A. Kurcz, Europejskie wymiary kształcenia do zawodu pracownika socjalnego, in: Pracownik
socjalny. Wybrane problemy zawodu w okresie transformacji społecznej, ed. J. Brągiel, A. Kurcz,

\textsuperscript{4} D. A. Rybczyńska, B. Olszak-Krzyżanowska, dz. cyt., p. 122.
services of social workers has the right to know the ethical standards and principles, which ensure exercising the profession in a reliable, professional and responsible way.

The code of ethics applies to different aspects of the social workers’ activity. In the section on the general attitude and social workers’ conduct, their duties are determined, which clearly shows that such an occupation is to be performed by people presenting high professional and personal morale. Additionally, possessing and continuous improvement of professional qualifications is necessary. A social worker should combine intellectual preparation, practical experience and contents resulting from the axionormative system in their professional work. Therefore, their actions require simultaneous use of professional knowledge, acquired skills and values underpinning social work. While performing their duties, a social worker has to remember that they bear the ultimate responsibility for the quality and range of services to which they committed, which they delegate to someone else or personally perform. A key principle of their professional activities should always be the well-being of clients, and their primary responsibility to help solve their clients’ problems in life. Inhumane or discriminatory practices against individuals or groups are unacceptable. Using professional contacts to pursue personal benefits is also unethical.

The social worker's ethical responsibility to beneficiaries occupies an important place in the ethical assessment of their professional activities. They should respect the dignity of the client and their right to self-determination, social workers cannot impose their own arbitrary will. At work social workers must also remember that beneficiaries are free from coercion and external interference and thereby, they have the right to act in accordance with their autonomous will. An important condition for proper contacts with clients is the recognition and application of the principle of ‘acquiescent protectiveness’, which means that a social worker should have a sympathetic attitude towards their clients. This approach is associated with sensitivity towards others’ needs and willingness to help people in need. It is crucial to demonstrate commitment to help a beneficiary in solving their difficulties of life and to use knowledge, skills and qualifications for this purpose. If it is in the interest of a person under care, a social worker should consult with their colleagues and superiors. An

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2 Dział I, Kodeks Etyczny Polskiego Towarzystwa Pracowników Socjalnych; D. A. Rybczyńska, B. Olszak-Krzyżanowska, dz. cyt., pp. 116-117.
effective way to restore clients’ full life capabilities is to reinforce their efforts to become independent. This becomes possible, inter alia, by providing beneficiaries with full information on available benefits, resulting commitments as well as ways and means for overcoming difficulties of life. A social worker has the right to cease to provide assistance if the benefits provided for by the law have been exhausted or when they are no longer necessary. However, in the case of misuse of the benefits, a social worker has the right to change the form of assistance.\(^1\)

It is the responsibility of the person representing the social welfare institutions to treat clients equally, regardless of personal preferences and characteristics (i.e. age, gender, marital status, sexual orientation, nationality, religion, political beliefs, race, skin color, health, etc.). An important obligation is also to maintain the secrecy of information that has been obtained in the course of professional activities. Confidential information may be disclosed by a social worker only if it is justified by important professional considerations and the common good of society.\(^2\)

It is vital for the effectiveness of action taken by a social worker to have a positive attitude towards co-workers and maintain relationships with the representatives of their profession. They should care about professional integrity and proper status of their profession, and honestly perform the duties as well as increase their professional knowledge. In order to increase the efficiency of their work a social worker has to cooperate with representatives of their profession to perform professional duties. In their contacts with co-workers, a social worker should respect the knowledge and experience of others, should be guided by objectivity and respect the principle of professional loyalty. Professional solidarity cannot affect their critical assessment of negative behaviours. In the case of co-workers breaking the code of ethics, they should take a critical stance while maintaining adequate standards, as to the place and time.\(^3\)

A social worker has a commitment to the institution in which they are employed. They should aim to improve the functioning of the institution and ensure the quality of the offered services. It is their duty to rationally and sensibly administer material and financial resources allocated for social services. In addition, they have to take care of the common good of the community in which they live and work. Therefore, they should support activities and self-help efforts provided by local communities, promote activity aimed at helping those in need and encourage participation in the development of community initiatives.

\(^1\) Dział II, Kodeks Etyczny Polskiego Towarzystwa Pracowników Socjalnych; D. A. Rybczyńska, B. Olszak-Krzyżanowska, dz. cyt., pp. 118-119.
\(^2\) Dział II, Kodeks Etyczny Polskiego Towarzystwa Pracowników Socjalnych.
\(^3\) Dział III, V, Kodeks Etyczny Polskiego Towarzystwa Pracowników Socjalnych.
of social institutions and social policy making. Social workers have a duty to ensure the access to essential benefits and life opportunities for people entitled to them. Simultaneously, they are supposed to demand legislative changes that contribute to improving the living conditions of society and promoting social justice\(^1\).

Undoubtedly, the social workers’ code of ethics is a major achievement in the field of professional ethics as its adoption is certainly progress towards the professionalisation of social work in Poland and raising the prestige of the profession of social worker. The Code does not divest social workers of their freedom of action, but it creates stable and solid foundation of functioning in the role of a social worker to all members of the profession\(^2\).

**Conclusion**

In the light of existing legislation, social workers with their knowledge, skills and experience should contribute to the development of social policy and programmes to improve the quality of community life. In particular, according to legal regulations applicable to social workers, social workers’ responsibilities include assisting people, but only those who require such assistance in order to be able to join active social life and preventing marginalisation of social welfare beneficiaries.

Social workers should be guided by values and moral principles arising from general ethics and specific standards contained in the code of ethics of the profession. Codified professional ethics helps social workers in the proper performance of duties and is a reference point for resolving ethical dilemmas. The provisions of the code of ethics relate to the profession, relationships with coworkers, beneficiaries, employers and society. They include specific objectives and tasks of social work, understood as a practical human activity for the benefit of people who need support and assistance in fulfilling basic needs and solving problems arising as a result of deprivation of those needs.

**References**

**Cohesive texts**


\(^1\) Dział IV. VI, Kodeks Etyczny Polskiego Towarzystwa Pracowników Socjalnych.

\(^2\) D. A. Rybczyńska, B. Olszak-Krzyżanowska, dz. cyt., p. 129.
Wódz K., Praca socjalna w środowisku zamieszkania, Wydawnictwo Naukowe Śląsk, Katowice 1998.

Journals
Kantowicz E., O profesionalizacji pracy socjalnej raz jeszcze, Praca Socjalna (2009), nr 1, pp. 26-41.
Siwek A., O potrzebie istnienia kodeksu etyki zawodowej pracownika socjalnego, Praca Socjalna (2009), nr 5, pp. 97-103.
Legal acts and codes
Ustawa z dnia 9.06.2011r. o wsparciu rodziny i systemie pieczy zastępczej (Dz. U. 2013, poz. 135 j.t.) (Act of 9 June 2011 on family support and foster care system (consolidated text: Journal of Laws of 2013, item 135)
Ustawa z dnia 12 marca 2004r. o pomocy społecznej (Dz.U.2013.182 j.t.). (Social Assistance Act of 12 March 2004 (consolidated text: Journal of Laws 2013, item 182))

Sylwia Stecko, Witold Jedynak
Institute of Sociology of the University of Rzeszów