Chapter 14

Advancing Sex Positivity while Combating Sexual Misconduct: Responding to Reports of Sexual Misconduct by Social Workers

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ABSTRACT

Social work professionals are accountable to ethical standards and a code of conduct that were developed to protect clients from harm. As accusations of sexual misconduct by social work practitioners is possible, it is important that agencies and organizations decrease the amount of additional harm that may result from the reporting and investigative process. Unfortunately, some agencies engage in practices that hinder the reporting of sexual misconduct, such as: victim blaming, lack of transparency, and limited communication during the investigation. Within this chapter, the authors propose that social work professionals adopt a sex positive approach to managing and investigating reports of sexual misconduct by practitioners. According to the authors, a sex positive approach seeks to challenge agencies and organizations to treat such cases seriously while respecting the individuals involved and limiting the risk of further violating or isolating the complainant.

INTRODUCTION

The foundation of social work practice is predicated on a professional’s ability to develop a working, interpersonal relationship with clients; however, this process often requires a certain level of intimacy in which clients feel comfortable disclosing personal information (O’Leary, Tsui, & Ruch, 2013). O’Leary, Tsui, and Ruch (2013) addressed the delicate balance of creating successful interpersonal relationships while maintaining professional expectations of these relationships and establishing boundaries; they
stated, “It safeguards against the emergence of bonds that are personal, sexual, religious, financial or business-oriented and allows the social worker to observe and help from a ‘safe’ distance” (p. 137). Unfortunately, such a delicate balance can be ignored and result in violations of professional boundaries, including sexual misconduct by social work practitioners (Abbott, 2003; Boland-Prom, 2009; Congress, 2000; Eichenberg, Becker-Fischer, & Fischer, 2010; Reamer, 1995; Strom-Gottfried, 2000). Within social work practice, the National Association of Social Workers (NASW) outlined the profession’s code of ethics, which serves as a guide to professional practice. The NASW Code of Ethics (2008) emphasizes the social work profession’s commitment to working with clients, including ensuring quality services and guarding against any attempts at exploitation or manipulation. In addressing sexual relationships with clients, the NASW Code of Ethics (2008) addresses the following:

1.09 Sexual Relationships
(a) Social workers should under no circumstances engage in sexual activities or sexual contact with current clients, whether such contact is consensual or forced.
(b) Social workers should not engage in sexual activities or sexual contact with clients’ relatives or other individuals with whom clients maintain a close personal relationship when there is a risk of exploitation or potential harm to the client.
(c) Social workers should not engage in sexual activities or sexual contact with former clients because of the potential for harm to the client.
(d) Social workers should not provide clinical services to individuals with whom they have had a prior sexual relationship.

Despite such provisions, the profession is not immune to professionals who demonstrate discrepancies between their beliefs and behaviors, as well as individuals who violate such standards (Abbott, 2003; Congress, 2000; DiFranks, 2008; Reamer, 1995). In a societal climate where reports of sexual misconduct by human service professionals is of increasing concern (Abbott, 2003; Aguilar & Williams, 2005; Reamer, 1995; Strom-Gottfried, 2000), it is essential for individuals working within the human service profession to understand how to properly approach and manage these situations. In doing so, social workers must ask themselves the following questions: Can agencies simply hide from such accusations? Is transparency the best practice? Above all, how can we remain sensitive to all parties involved yet still validate the experiences and reports of complainants while we address these situations?

The authors of this chapter believe a lens in which sex positivity and affirmation is emphasized needs to be applied to the reporting and investigative process. The foundation of the term sex positivity is viewing sex and sexuality, as well as related issues and concerns, from a non-judgmental stance; it has emerged among professionals specializing in sexuality in order to counter a societal narrative that is traditionally saturated in negative perceptions of sexuality (Glickman, 2000; Williams, Prior, & Wegner, 2013). For purposes of this discussion, an example of this pathological, negative view of sexuality and related issues is placing blame on victims of abuse. According to Kearney, Ingersoll, and Satterly (2015),

...being ‘sex positive’ means focusing on, pursuing, and celebrating all of the positive, healing, life-affirming, and pleasurable aspects of human sexuality. That does not mean that we should ignore the negative, destructive, traumatic, and painful events connected to sexuality, for they are very real and
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