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Ethics Alive - Gifts From Clients: The Good, the Bad, and the Ethically Ugly

by [Allan Barsky](#)

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by Allan Barsky, J.D., MSW, Ph.D.

Everyone loves gifts, don't they? Well, maybe it depends on who is giving the gift and under what circumstances. For social workers, being offered a gift from clients may be cause for celebration, cause for concern, or both.

Assume you have been working with Cleo, a client experiencing high levels of social anxiety. Over the past few months, you have helped her reduce her levels of anxiety to the point that she now enjoys personal and work relationships that she once dreaded. In your final session with Cleo, she offers you a present. Your first instinct may be to tell yourself, "Accepting gifts from clients is unethical. I need to find a polite way to decline." But is accepting gifts truly unethical, and if so, why? Under what circumstances might accepting gifts be ethically justifiable, or even desirable?

Some people may assume the NASW Code of Ethics (2008) specifically prohibits accepting gifts. It does not. It doesn't even mention gifts, *per se*. The NASW Code does have provisions related to gifts. Standard 1.06(a) advises social workers to "avoid conflicts of interest that interfere with the exercise of professional discretion and impartial judgment." Standard 1.06(b) instructs social workers not to "take unfair advantage of any professional relationship." Standard 1.06(c) says that social workers should set "clear, appropriate, and culturally sensitive boundaries" with clients.

Taken together, these standards certainly put social workers on notice that there are risks related to accepting gifts from clients. Thus, there are some situations in which accepting gifts would be clearly unethical:

- if accepting a gift biases a social worker's judgment (e.g., if you were tempted to give Cleo favored treatment because she gave you a gift)
- if the social worker manipulates clients into thinking that providing gifts is necessary to obtain services that they are already entitled to receive (e.g., if you indicate to Cleo that she needs to

provide a gift to receive counseling)

- if the social worker has not established appropriate professional boundaries with the client and the gift-giving reflects this lack of appropriate boundaries (e.g., if you befriend Cleo and she gives you a gift as if you were her friend)
-)if you are in a position of authority over the client and the client is vulnerable to your decisions (e.g., if you are a child protection worker deciding whether to remove a child from Cleo's home)
- if the gift has a deep emotional meaning to the client, and the client may later regret giving the gift (e.g., if Cleo gives you a home-made vase that has minimal market value but is deeply meaningful because it was a gift from her dearly departed brother)
- if the nature of the gift is inappropriate given the nature of the services and/or your professional role (e.g., if Cleo gives you a sample of drugs that she found helpful in reducing her anxiety)

As a social worker, your primary commitment is to your client (Standard 1.01). The main interest to consider is the impact of gift-giving on the client. If gift-giving is an authentic expression of the client's gratitude, then the principle of self-determination suggests that social workers should honor the client's wishes. The client may feel a sense of pride and satisfaction from being able to thank the worker with a gift. However, if the client feels exploited or manipulated—or if the client receives inappropriate services as a result of gift-giving—then encouraging or accepting the gift would be unethical.

So, under what circumstances might accepting gifts be ethically justifiable? In broad terms, accepting gifts may be justifiable when they promote the principles of beneficence (doing good, particularly for the client) and nonmaleficence (avoiding harm, particularly to the client). Assume that Cleo comes from a culture in which gift-giving is appropriate and perhaps culturally expected, even in professional relationships. Assume, further, that Cleo may feel rejected or disrespected if you do not accept her gift as a gesture of thanks. Rejecting the gift could also have a negative impact on her progress in counseling. To accept the gift would do more good than harm—particularly if there are no risks or perceptions of exploitation, inappropriate boundaries, or biases in your professional decision making. Along these lines, Standard A.10.f of the Code of Ethics (2014) of the American Counseling Association states:

Counselors understand the challenges of accepting gifts from clients and recognize that in some cultures, small gifts are a token of respect and gratitude. When determining whether to accept a gift from clients, counselors take into account the therapeutic relationship, the monetary value of the gift, the client's motivation for giving the gift, and the counselor's motivation for wanting to accept or decline the gift.

Rather than having a blanket rule about accepting gifts, this standard invites counselors to assess each situation, including the client's and counselor's motivations for accepting the gifts. If a client feels pressured into providing a gift or if the counselor is motivated by greed to accept the gift, then accepting the gift would be unethical. Note also that this standard asks counselors to take the therapeutic relationship into account. If Cleo offers you a gift because she has a low level of trust in the relationship and wants to ensure your support, then accepting the gift may be tantamount to exploiting her vulnerability. If Cleo and you have an egalitarian relationship, then the risks of exploitation are lower.

In terms of the monetary value of gifts, social workers should consider the value in relation to the client's level of wealth and income. If a client is living in poverty, then a gift worth \$20 may be significant. If the client is wealthy, then a gift worth \$20 may be perceived by the client as a small token of appreciation. Some agencies put specific values on what types of gifts may be accepted. Some agencies prohibit gifts of any value. Some agencies allow gifts to the agency (as a whole), but not to individual social workers. Remember that even if an agency has a policy prohibiting acceptance of gifts, it may be

ethical to accept them. You may need to advocate with the agency to change the policy, or to grant exceptions on a case-by-case basis.

The question of accepting gifts is not simply an either/or issue. When and how are also important considerations. To pre-empt problems, it would be helpful for clients to know the social worker's or agency's policy on gift-giving from the outset of the helping process. Informing clients up front allows the parties to avoid that ugly moment when a client has made the effort to make or purchase a gift, only to have it rejected. If a client offers a gift during the middle stages of work, then the worker may remind the client of the policy. If a client provides a gift at the termination stage of services, then the risk of exploitation may be lower. Because the client has already received services, it is less likely that the client is providing the gift to sway how the social worker provides services or other benefits. Still, there are concerns about professional boundaries and whether the client may want the professional relationship to transition into a personal or romantic one.

If you decide it is inappropriate to accept a particular gift, then consider how you can inform the client in a respectful manner. For example:

- *Thank you for this beautiful gift. Although our agency does not allow workers to accept gifts, I appreciate your gratitude and want you to know that I've valued the opportunity to work with you.*
- *Your Christmas gift is very generous. Thank you. Would it be okay with you if I shared this gift with the rest of the agency?*

Clearly, it is helpful to individualize your response so the client knows your gratitude is genuine. You may also need to explain the reasons that you cannot accept a gift.

A final guideline on accepting gifts is transparency. If Cleo offers you a gift and you are concerned about telling your supervisor or co-workers, this raises a warning flag about accepting gifts. If you do accept the gift, then you should be prepared to let your colleagues know about the gift, without fear of condemnation. You might ask yourself, "How would I feel if I checked my favorite social networking site one day and saw a story about my receiving this gift, for all the world to see?" Further, as a matter of risk management, you should document a client's offer to give you a gift, how you responded to the offer, and your justification for responding in that manner.

Decisions about whether and how to accept gifts can be complex. When in doubt, ask your supervisor or other professional colleagues for assistance. Explore the context of the decision, including the client's and your motivations, as well as options, risks, and potential benefits.

References

American Counseling Association. (2014). 2014 ACA Code of ethics. Retrieved from <http://www.counseling.org/docs/ethics/2014-aca-code-of-ethics.pdf?sfvrsn=4>

National Association of Social Workers. (2008). Code of ethics. Retrieved from <http://www.naswdc.org> (Please note that the NASW will be voting on proposed revisions to the Code of Ethics in August 2017.)

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Receiving gifts from clients

Thanks to the author for shedding light on this oftentimes anxiety inducing topic! Speaking for myself, I have enjoyed the instances of clients giving me small gifts. I use the situations as content in our work together. So while I usually accept gifts when they are given under the ethically acceptable context outlined in the article, I discuss in a transparent way policies, ethics, and my personal response with the client. I express my gratitude and appreciation for the client's gesture and also explore with them (depending on the client it may be more or less in depth) what kind of feelings and thoughts arise for them and for me. Knowing that sometimes "a cigar is just a cigar", this process can nonetheless be a valuable way of highlighting the unique nature of the therapeutic relationship for clients while simultaneously punctuating the termination (usually) of the work together. Thank you again for providing clarity on this topic.

Philip West, LICSW

Philip West more than 2 years ago | [reply](#)

Receiving gifts from clients

I very much liked this article about receiving gifts from clients in that the author promotes that social workers individualize the meaning on a case-by-case basis. However, when he suggests that clients should be informed of the agency's or therapist's policy about gift giving from the outset of treatment, I find it hard to imagine anyone saying to a new client, "We request that you give 24 hour notice if you need to cancel, that you pay after each session, and that you don't give me any presents." That just sounds so funny and off-target.

Mary Anne Cohen more than 2 years ago | [reply](#)

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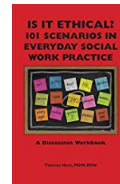


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