Canadian Mental Health Association, Muskoka-Parry Sound Branch (CMHAMPS) Ethics Framework

INTRODUCTION

This framework is intended as a guide to help stakeholders, including employees, volunteers, students, Board and committee members make decisions that have ethical implications arising from the services provided by, and in the administration of the organization. Decision-Making can sometimes be very difficult, especially when there is no policy or standard specific to the dilemma in question. Often ethical questions have no right answer, but rather competing options where the benefits and risks involved must be weighed in the decision-making process. This is called an ethical dilemma. The purpose of this tool is to assist the Board, staff and stakeholders to problem-solve a situation and provide a values-based response. Through reflection and discussion our commitment is to always be mindful of our mission, the values that we live by, and our hopes and vision for the future, as we make decisions and take action.

An ethical issue is any dilemma which represents a conflict of values (organizational, personal or professional) or moral principles. The core values of any organization help focus its decisions and actions and must be connected to the ethics framework.

Definitions

Before outlining the steps involved in ethical decision-making, it is important to review key terms related to ethical areas of concern so that there is a common understanding of concepts which inform individuals making ethical decisions. Here are some of the commonly used important terms related to Ethics:

Values are sets of beliefs and opinions about good and bad, right and wrong, and about many other aspects of living and interacting in society with others. While values may vary from culture to culture, and individuals hold certain personal values, there are some universal values like love and compassion. (1)

Principles are described as rules or laws that are universal in nature. These principles govern human behaviour and the interaction between people in a society. Principles are unwritten laws, universal truths or standards that are expected to be followed by all members of a society. (2) 1 and 2 Found at: http://www.differencebetween.com/difference-between-values-and-vs-principles/#ixzz33VYnurz2

Ethical Dilemmas involve a situation where two or more values conflict such that both could be readily applied to a situation and provide an equally good or equally bad outcome but one has to be selected or given primacy over the other(s). (3)

Clinical Ethics focuses on the relationship between service users and health care providers. (4)

Organizational Ethics is the intentional use of our shared values to guide the decisions of a program or the entire organization. (5)

3 – 5 (Adapted from CMHA Toronto Ethics Guide For Issues involving Client Care and Support 2012)

Ad Hoc Committee is a committee formed for a specific task or objective, and dissolved after the completion of the task or achievement of the objective

PRINCIPLES, VALUES & ACCOUNTABILITY

Decision-Making Principles

Open & Transparent

The process by which decisions are made must be, objective, open to scrutiny and the basis should be explained.

Reasonable

Decisions should be based on reasons (evidence, principles, and values) and be made by people who are credible and accountable.

Inclusive

Decisions should be made explicitly with stakeholder views in mind and stakeholders should have opportunities to be engaged in the decision-making process.
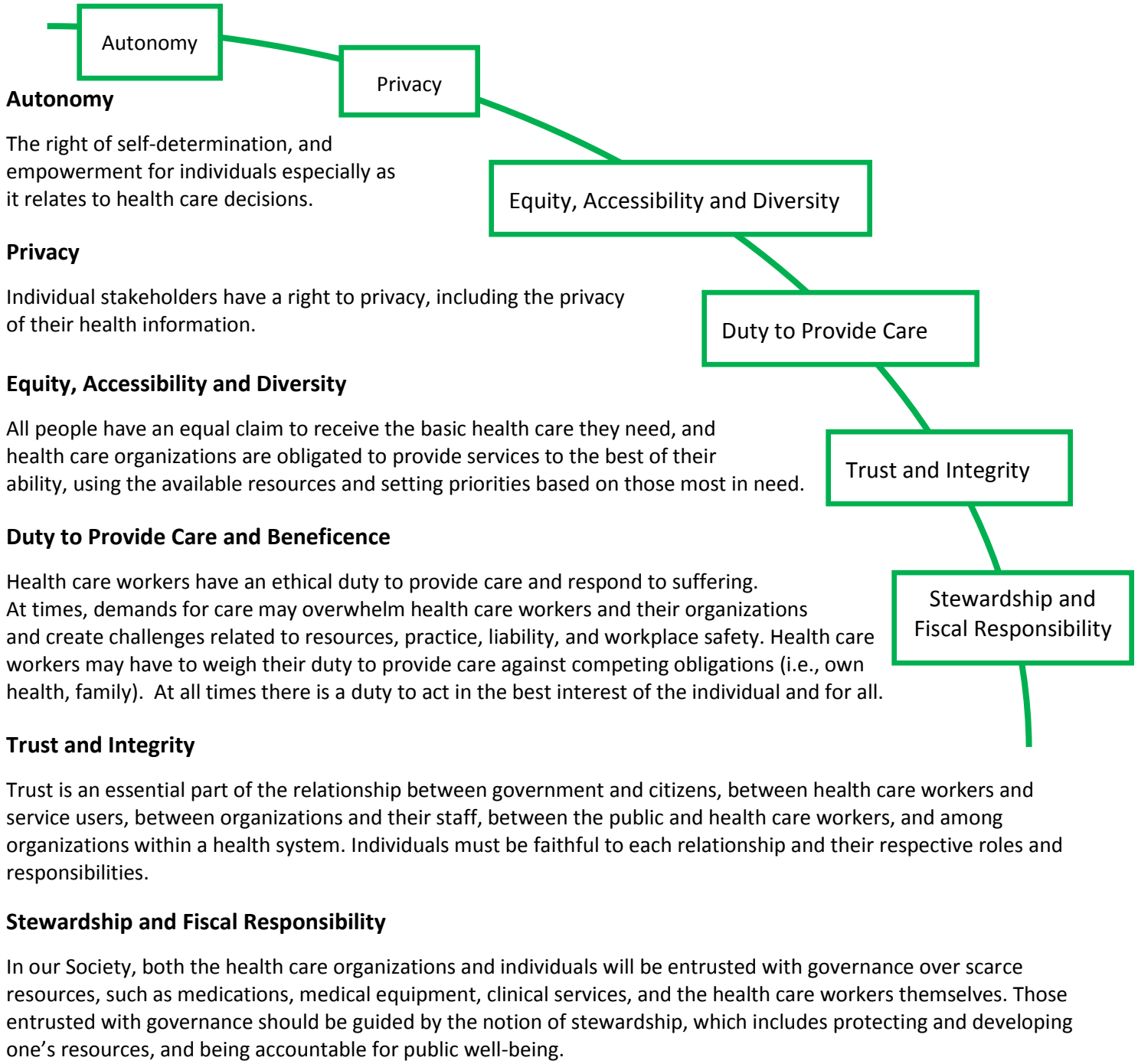
Responsive

Decisions should be revisited and revised as new information emerges, and stakeholders should have opportunities to voice any concerns they have about the decisions (i.e., dispute & complaint mechanism).

Accountable

There should be mechanisms to ensure that ethical decision-making is sustained throughout the agency.

Core Ethical Values

Autonomy

Privacy

Equity, Accessibility and Diversity

Duty to Provide Care

Trust and Integrity

Stewardship and Fiscal Responsibility

Autonomy

The right of self-determination, and empowerment for individuals especially as it relates to health care decisions.

Privacy

Individual stakeholders have a right to privacy, including the privacy of their health information.

Equity, Accessibility and Diversity

All people have an equal claim to receive the basic health care they need, and health care organizations are obligated to provide services to the best of their ability, using the available resources and setting priorities based on those most in need.

Duty to Provide Care and Beneficence

Health care workers have an ethical duty to provide care and respond to suffering. At times, demands for care may overwhelm health care workers and their organizations and create challenges related to resources, practice, liability, and workplace safety. Health care workers may have to weigh their duty to provide care against competing obligations (i.e., own health, family). At all times there is a duty to act in the best interest of the individual and for all.

Trust and Integrity

Trust is an essential part of the relationship between government and citizens, between health care workers and service users, between organizations and their staff, between the public and health care workers, and among organizations within a health system. Individuals must be faithful to each relationship and their respective roles and responsibilities.

Stewardship and Fiscal Responsibility

In our Society, both the health care organizations and individuals will be entrusted with governance over scarce resources, such as medications, medical equipment, clinical services, and the health care workers themselves. Those entrusted with governance should be guided by the notion of stewardship, which includes protecting and developing one's resources, and being accountable for public well-being.

(Adapted from the SMDHU Influenza Plan 2006; pg. 16-18)

CMHAMPS Mission, Values and Vision

Mission Statement:
Canadian Mental Health Association, Muskoka-Parry Sound Branch is committed to hope and recovery through integrated mental health and addiction services. Using effective, innovative partnerships and practices, we provide the highest quality treatment, support, education and advocacy for the people of Muskoka-Parry Sound.

Vision Statement:
Empowering individuals, families and communities to thrive through hope, recovery, wellness and healthy lifestyles.

Core Values & Principles
> **We believe in:**
- **Integrity –** we value honest and ethical behaviour
- **Diversity and Equity** – we respect the integrity, dignity, culture and beliefs of all regardless of individual differences
- **Transparent & Accountable –** we undertake to be open and accountable in our relationships with everyone we work with and with each other
- **Balance & Diversity –** we will strive for balanced and diverse representation on our governing bodies
- **Recovery & Wellbeing** – we value hope, self-determination, social inclusion and wellbeing
- **Empowerment and Inclusion** to increase the capacity of individuals and groups to make informed choices and decisions that affect them and to help transform their choices into actions and successful outcomes
- **Safety & Privacy** - we value people's privacy and will work to create safe environments to promote recovery & wellbeing
- **Prevention, Early Identification and Intervention** to reduce the incidence and severity of mental illness and substance abuse to instill hope, support harm reduction, recovery and well-being
- **Accessibility –** we value equal and equitable access to high quality, effective client, family and community integrated services, resources and information that diminish access barriers to attain the social determinants of health including social, housing, income, and justice
- **Community Service & Awareness through Information and Knowledge Transfer** to reduce the stigma associated with mental illness and addictions to encourage those in need of help to get it, and get it sooner
- **Collaboration, Service integration and Strategic Partnerships** to better meet the needs of our clients, family members and the community, harnessing and building upon community experience and expertise which includes partnership & teamwork with the people who use our services, their families, significant others and service providers
- **Excellence, Quality & Innovation** – we value providing effective, evidence based services and supports

Team Values
Trust
Respect
Communication
Teamwork

Accountability

Accountable legal requirements: Personal Health Information Protection Act (PHIPA), Ministry of Health and Long Term Care (MOHLTC), North Simcoe Muskoka Local Health Integration Network (NSM LHIN), Ministry of Community and Social Services, Ministry of the Attorney General, Health Care Consent Act (HCCA), Substitute Decisions Act (SDA), Professional Codes of Ethics, Regulated Health Professionals Act, The Health System Improvements Act , The Accessibility for Ontarians with Disabilities Act, Residential Tenancies Act, Multi-Sector Service Accountability Agreement (M-SAA), Ministry of Children and Youth Services, Mental Health Act, Services and Supports to Promote the Social Inclusion of Persons with Developmental Disabilities Act, Ontario Human Rights Code, Fire Protection and Prevention Act

Resources Available

• Organizational Guidelines • Board Policies & Procedures • Agency Policies and Procedures	• Program Policies and Procedures • Occupational Health and Safety	• Employment Standards • MPSCMHS Code of Conduct

POLICY

The stakeholders of the Canadian Mental Health Association, Muskoka-Parry Sound Branch are expected to adhere to high standards of professional and personal ethics in the conduct of their duties and responsibilities. Accordingly, any situation or issue that is recognized as having ethical implications arising from the services provided by, and in the administration of the organization will be brought to the attention of the appropriate supervisor, who will respond in a timely manner. The parties involved will work together using the following procedure to resolve the issue in a manner that is satisfactory to all. Confidentiality will be maintained insofar as is possible throughout the process.
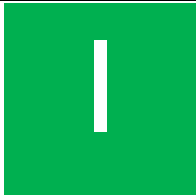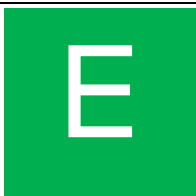
PROCEDURE

If an issue arises that is seen by those involved as being an ethical issue that cannot be resolved by existing process (see Resources Available), those stakeholders are encouraged to use the CMHAMPS Ethical Decision-Making Tool (IDEAS) and worksheet to problem-solve the issue. If, after working through that process, an ethical dilemma exists, the matter is to be brought to the attention of the appropriate supervisor or, if there is a conflict of interest on the part of that supervisor, then the matter is to be brought to the attention of that supervisor's supervisor. (The logic of this process extends upwards through the hierarchy of the agency, ultimately to the Board. If the Board as a whole is in a conflict of interest then the issue should be brought to the attention of an external authority such as the North Simcoe Muskoka Local Health Integration Network.)

If the supervisor has ethics training, no conflict of interest, and is likely to be seen as neutral with regard to the matter at hand, they will act as the Ethics Facilitator and strike an ad hoc Ethical Dilemma Resolution Committee. (If the supervisor is not trained, has a conflict of interest, or is not likely to be regarded as neutral, they will refer the matter to another appropriate supervisor who will take on the role of Ethics Facilitator.) The Ethical Dilemma Resolution Committee will have stakeholder representation appropriate to the issue. Service-user/family member participation should be the norm except when the issue dictates otherwise. There will be a minimum of three persons on the Committee and the Committee will include those concerned about the ethical issue.

The Committee will review the issue at hand using the Ethical Decision-Making Tool (IDEAS) and Worksheet attached. The worksheet will be completed and kept on file by the Manager of Human Resources and Administration for annual summary review.

While it is hoped that the Committee will reach a consensus decision, there may be occasions when that does not happen. If the parties involved are of the opinion that the ethics framework has not been followed or is inadequate to the issue at hand, they are free to appeal the decision upward through the hierarchy of the agency.

CMHAMPS ETHICAL DECISION-MAKING TOOL: I D E A S

1.	**I**	dentify the Facts	Gather information and relevant facts – details of the situation – state the main issues or areas of concern – consider who is involved and who else should be consulted – identify stakeholder expectations, emotions and values relevant to the conflict – consider personal biases, religion, culture, capacity to decide – consider the service user's history/prognosis and if or how it affects the situation – review all related agency policies and procedures, program policies and procedures, directives, regulations
2.	**D**	etermine the ethical principles in conflict	Clearly identify the ethical issue or which ethical values are in conflict – state the main areas of concern or the specific nature of the conflict to be resolved – Question what more may be learned about the issue (ex. it may not be an ethical concern but rather a legal one) - Consider whether stakeholders share similar concerns
3.	**E**	xplore all of the options before deciding	Explore options considering their strengths and weaknesses – examine the possible benefits/harmful consequences - Brainstorm and discuss options with appropriate peers – be creative, think out of the box – Consider a compromise, look for 3 – 5 alternatives – Predict potential outcomes for each option and impact on stakeholders – Consider how each option supports or conflicts with Agency policies and procedures, values and regulations – Select the best option and the rationale for the decision
4.	**A**	ct on the decision and evaluate	Develop an appropriate action plan – Evaluate the plan – Self-evaluate, ask yourself how comfortable you are with the decision – Clearly communicate the decision with all of the stakeholders, consider their feedback - document the decision
5.	**S**	olve the problem and Scrutinize	Implement the action plan, steps to be taken Who is involved, impacted and must be informed? - What was decided? - When will the plan be in effect? - Where will it take place? – Explain why this plan was chosen - rationale and how it will be carried out - Reflect on the results, consider what may have been done differently

Ethical Decision-Making Worksheet

The CMHAMPS Ethical Decision-Making Worksheet is comprised of five steps:

- I dentify the facts
- D etermine the ethical principles in conflict
- E xplore the options
- A ct on your decision and evaluate
- S olve the problem and scrutinize

Step 1: Identify the Facts

- Gather information/facts on the case.
- Re-state the details of the case.
- What are the main issues or areas of concerns/ tension?
- Who are the individuals involved/ who else needs to be involved?
- How or does a consumer's history/prognosis affect this case?
- Are there other factors to consider, including company policies and procedures, directives and regulation?

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Step 2: Determine the Ethical Principles in Conflict

- Clearly identify ethical issues (i.e. what ethical principles are in conflict?)
- What are the main issues or areas of concern/tension?
- Who are the individuals involved?

Reflect on the emotions of all stakeholders: Examine the emotional factors influencing each individual, such as existing feelings, values, biases and prior experiences.

Ask yourself: How do I feel about this particular situation and the individual/s involved? How are my life experiences influencing my reaction? What are the family/cultural/societal traditions and customs that are influencing my reaction?

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Step 3: Explore Options

- Explore options and consider their strengths and weaknesses.
- Brainstorm and discuss options with peers. (Be creative and use your imagination)
- Consider a compromise and "out of the box" options.

- Predict the outcomes for each alternative. Does the alternative fit with individual/s values?
- Question whether the alternative meets the Agency's policies, directives and regulations.

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Step 4: Act on Your Decision and Evaluate

- Develop an action plan, evaluate the plan, and clearly present chosen option.
- Self- Evaluate your decision, would you be comfortable if it were publicized and had your name on it?
- Re-examine alternatives if the situation changes or new information comes to light
- Document and communicate the plan

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Step 5: Solve the Problem and Scrutinize

- Implement the action plan, steps to be taken
- Consider who is involved, impacted and must be informed, what was decided, when will the plan be in effect – timeline, where will it take place, why was this plan chosen? - Rationale and how will it be carried out. Document and
- Reflect on the results; consider what may have been done differently.   Monitor, modify and make changes as necessary to prevent future ethical dilemmas

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(Adapted from CMHA Oxford Ethical Decision-Making Tool/Worksheet)