

**CODE OF ETHICS FOR
SOCIAL WORKERS IN COLOMBIA**

Approved in Order

AGREEMENT 013 of 26 June 2015

BOGOTA, D.C., 2015

First edition-2015.
ISBN 978-958-59151-0-7
8000 copies.

Editor
Alvaro Reyes -Calixto.

Design and layout
Yaneth Guarín

Printed by Grupo Editorial Ibañez.
Phones 230 0731 and 238 6035.
www.grupoeditorialibanez.com

This text is the text of this code is also to be found in:
www.consejonacionaldetrabajosocial.org.co
Diario Oficial 49617 of 27 August 2015, pp.- 41-47

NATIONAL SOCIAL WORK COUNCIL:

Claudia Consuelo González-Rramírez
President

Clara Inés Rodríguez-Hoyos
Executive Director

MEMBERS OF THE COUNCIL:

Luis Carlos Ortiz-Monsalve
Delegate of the Ministry of Health and Social Protection

Sonia Guarín-Pulecio
Delegate of the Ministry of Labour

Claudia Consuelo GonzálezRamírez
President of the National Social Work Council and of the National Social Work
Education Council – CONETS

Jorge Luis Llamas-Chávez
President of the Colombian Social Workers Federation - FECTS

Roberth Wilson Salamanca-Ávila
Delegate of the National Assembly of Social Work Faculties

CONTENTS

	p.
Presentation	5
Social workers who oriented the review of the 2002 Code of Ethics	8
Social workers who assembled information for the review and edited the final text	9
Higher education institutions taking part in the review.....	10
Other participants in the review	11
The President of the National Social Work Council	12
Order No. 013.....	13
Chapter 1. Object and scope of the Code of Ethics.....	15
Chapter 2. Social work	15
Chapter 3. Social workers.....	16
Chapter 4. Principles and values.....	17
Chapter 5. Commitments.....	18
Chapter 6. Disciplinary regime	21
 Annexes:	
Annex A. Law 53/ 1977	24
Annex B. Decree 2833/1981	27

PRESENTATION

The National Social Work Council ("*Consejo Nacional de Trabajo Social*"), following provisions of in Law 53/1977, and Decree 2833/1981 (see Annexes A and B), issued Order 004/2002 to present its first Code of Ethics (under the title "Professional Code of Ethics of Social Workers in Colombia). The law required a review of the Code every 5-10 years. Therefore, since 2008, the process of review has been in train, with a participatory methodology, which brought together the three bodies in the profession (for the academic sector, the National Social Work Education Council (Conets); for professional associations, the Colombian Federation of Social Workers (Fects); and for legal purposes, this Council), certain regional associations, academic programs in social work, social workers and students who for reasons of motivation or personal interest wished to become part of the process.

This ambit of the review process meant that it was possible to:

- a) reflect how contemporary social work has come to be shaped, with all the complex, integrated and interdisciplinary nature of the profession and amid the diversity of its trends,.
- b) generate spaces and encounters to achieve consolidation as a professional group, and collective construction and indeed, professional identity;
- c) recognize the categories defined, with clear fundamental guiding principles, assimilated by the majority, and which form a transverse line of professional performance;
- d) redefine the role of social workers as guarantors, protectors and defenders of human rights, promoting reparation, restitution and comprehensive promotion of the same; understanding them as ethical and political principles - life, liberty, justice and dignity.

In this context, the social workers who responded to the invitation to take part, recognized that the Code of Ethics provides guidelines that generate the identity of social work, based on the duties and actions of professionals in the context of the Colombian Constitution, and broadens their vision by generating further spaces of reflection for their practice as social workers.

The review formally began in the "*National forum: ethics, social relations and new contexts in professional practice*", held in October 2008, in which there were 15 papers presented by a range of experts. Subsequently, a focal group was formed in Bogota, from seven academic programs in social work, to determine the points to be covered by the review. Also, at the instigation of the Council, and with the support of academic programs, there was research which made approaches to the basic structure of 18 Codes of Ethics of social work in Latin American countries,

and the content of 19 Codes from member countries of the International Federation of Social Workers - IFSW. The values and principles of students of social work in six universities were also identified in an information gathering exercise to form the basis for the review process. During the celebrations of Social Workers Day (2010, 2011, 2012 and 2013), experts invited by the Council took part in and contributed to reflections, and updates, and the development of themes regarding ethics (social intervention, globalization, action without damage, risks in professional practice, and Colombian realities).

In May 2013, the document "Council Proposal for the Review of the Code of Ethics" was sent out, defining a methodological structure which enabled social workers with knowledge of ethical issues to participate in meetings, consultations and social networks.

A Management Team and a Dynamics Team was formed to be responsible for coordinating the development of invitations and events to be attended by social workers and students across Colombia, in each of the three regions: West, Caribbean and Centre-East. And in 2013 and 2014, twenty events were held around Colombia: Bogotá, Neiva, Tunja, Bucaramanga, Cucuta, Medellin, Manizales, Quibdo, Cali, Buenaventura, Cartagena, Cartagena, Barranquilla, Riohacha, Montería, San Andres, Soacha and Bello. More than 1000 social workers and more than 400 students in a range of social work programmes attended and as a result the profession was collectively represented with a diversity of points of view, generations and regions.

The National Social Work Education Council – CONETS - contributed to these reflections written around ethics and formation for social workers with a document presented to the affiliated academic units.

During the events, working groups were formed for discussion and analysis, both of content and of the scope of the Code. Instruments were designed and validated by experts, and this made it possible to collect information which was subsequently systematized, and became the basis of this Code.

The final stage produced the document to consolidate the results of the review process, in the light of epistemological and theoretical developments identified, and this was complemented with experts' contributions. The document was then again reviewed and validated by the Management and Dynamics Teams, in the context of human rights.

The Code contemplates the pluralism of trends in social work in Colombia, the guiding principles for professional practice, values, and commitments with regard to the profession, subjects, and realities in which it intervenes, colleagues, relations with other professions and disciplines, organizations and the environment. It also provides a disciplinary regime -as required by law-- and deals with the formation of an Ethics Committee and its functions.

It should be noted that the review process identified a number of values and ways of defining them: they are relative, and respond to specific cultural contexts which will be able to be established through agreements between groups or institutions.

All the documentation of contributions collected up during the review process events are held at the Council's offices, and available to anyone who wants to consult them.

The National Social Work Council thanks all the social workers, students and teachers, experts in theology, philosophy, the social sciences, the law and social work, and each and every participant in the process, for their contributions to learning and to the collective construction which was the basis of this "*Code of Ethics for Social Workers in Colombia*".

Finally, we invite the National Social Work Education Council– CONETS - and the Federation of Social Workers – FECTS - and their regional associations, to identify significant experiences of a critical and positive nature, and in general, good practices in social work, in order to socialize them and take them as reference points in the development of professional ethics. Likewise, we invite academic programs in social work to articulate regulations of academic practice with the proposals made in the "*Code of Ethics for Social Workers in Colombia*."

*National Social Work Council
April 2015*

**SOCIAL WORKERS WHO ORIENTED THE REVIEW
OF THE 2002 CODE OF ETHICS**

MANAGEMENT TEAM:

Claudia Consuelo González-Ramírez
President, National Social Work Council

Patricia Duque-Cajamarca
Ethics Teacher

Clara Inés Rodríguez-Hoyos
Executive Director,
National Social Work Council

DYNAMICV TEAM:

Antonio María Puerta-Zapata
Western Region

Enelba Cristina Carmona Barrios
Caribbean Region

Clemencia Gaitán de Rojas
Central-East Region

María Teresa Gnecco de Ruiz
Central-East Region

SUPPORT IN THE THREE REGIONS

Luz Myriam Ramírez-Valencia
Ethics researcher

SOLICIAL WORKERS WHO CONSOLIDATED INFORMATION
FOR THE REVIEW AND EDITED THE FINAL TEXT:

Patricia Duque-Cajamarca

Luz Myriam Ramírez-Valencia

Clara Inés Rodríguez-Hoyos

**HIGHER EDUCATION INSTITUTIONS PARTICIPATING
IN THE REVIEW PROCESS**

CENTRAL-EAST REGION:

Universidad Colegio Mayor de Cundinamarca (Bogotá)
Fundación Universitaria Monserrate (Bogotá)
Fundación Universitaria Juan de Castellanos (Tunja)
Corporación Universitaria Minuto de Dios (Bogotá, Soacha)
Universidad De La Salle (Bogotá)
Universidad Externado de Colombia (Bogotá)
Universidad Simón Bolívar (Cúcuta)
Universidad Industrial de Santander (Bucaramanga)

WESTERN REGION:

Universidad de Antioquia (Medellín)
Universidad Pontificia Bolivariana (Medellín)
Corporación Universitaria Minuto de Dios (Bello)
Universidad de Caldas (Manizales)
Universidad Tecnológica del Chocó (Quibdó)
Universidad Libre (Pereira)
Universidad Mariana (Pasto)
Universidad del Valle (Cali y Buenaventura)

CARIBBEAN REGION:

Universidad Simón Bolívar (Barranquilla)
Universidad de Cartagena
Universidad del Sinú (Montería)
Corporación Universitaria del Caribe (Sincelejo)
Universidad de la Guajira (Riohacha)
Corporación Universitaria Rafael Núñez (Cartagena)

OTHER PARTICIPANTS IN THE REVIEW PROCESS

Social Workers of San Andrés y Providencia

Instituto Colombiano de Bienestar Familiar
(San Andrés)

Association of Social Work Professionals of Huila
(Atshu)

Social workers in La Picota jail
(Bogotá)

THE PRESIDENT OF THE NATIONAL SOCIAL WORK COUNCIL.

I share this "*Code of Ethics for Social Workers in Colombia*" with each and every social worker in this country. It is the result of a process of review of the previous Code, and the richness of this document reflects the solidity of its bases.

First and foremost, it is a participatory document, which brought together a range of actors such as students, teachers, professionals, institutions, social worker associations, academic units and professional bodies, who all contributed to it. This is most evident in the fact that 24 academic units and over 1400 individuals took part, with events in 17 cities across three regions of the country; and there was the "Dynamics Team" which helped to lead the process.

Second, the review process enabled us to recognize the diversity of points of view which make up the specific nature of social work in Colombia, evident in the many different ways of interpreting what that activity should be, its subjects, the methods, and the processes based on the very complexity of realities, and of the demands of society, varying from one region to another. All of this leads us to think that the contents of this document is an attempt-as is any inexhaustible process-to bring together the minimum fundamentals of social work, with a view to securing consensus.

Third, and no less important, the review came to express the sense of the "*Code of Ethics*" not from the point of view of prescription, nor to apply the logic of eminently punitive control, but in order to open our eyes to encounter, agreement, and professional commitment among all of us who are recognized as social workers. This Code of Ethics expresses a will which is a call for coexistence, dialogue, agreement and collective conciliation, human formation, and to the importance of acting correctly as professionals, and appropriately to each context.

It is imperative to recognize the diversity and quality of contributions, reflections and commitments which the review process has generated, and which are enshrined in the *Code*; I also invite you to read it and interpret it as a key to the legitimacy of single and plural agreements alike.

With this in the background, the "*Code of Ethics for Social Workers in Colombia*." presents guidelines or orientation, which are no way to be taken as truths or mandates for the professional practice of social work in Colombia.

Claudia Consuelo González-Ramírez
(April, 2015)

AGREEMENT 013

(26 JUNE 2015)

**ADOPTING THE
CODE OF ETHICS FOR SOCIAL WORKERS IN COLOMBIA.**

At an extraordinary meeting of the National Social Work Council, acting with powers conferred by Law 53/1977, and Decree 2833/1981, and

WHEREAS

1. Article 8 of Law 53/1977 and Article 7 of Decree 2833/1981 state that it is a function of the National Social Work Council to take knowledge of reports of offences against professional ethics, and to punish them;
2. The National Social Work Council, following the recommendations of the previous Code, led a process of review of the Code in 2013 and 2014;
3. Social workers took part in the process during events held in several cities around the country, and a very large number of reflections, contributions or proposals were received for a new text to the Code, which took account of advances in epistemology, theory and methodology, social realities, and a fresh look at the practice of the profession;
4. These reflections and proposals express the feelings of social workers in regions around the country;
5. All contributions were used to structure the text for the new Code, which was studied by experts on ethics and the Management and Dynamics Teams for the review process mentioned in (2) above, and they corrected it and presented the final text;
6. This final text was presented to members of the National Social Work Council, which validated and approved it.

AGREEMENT

Article 1. To take this text as the content of the new Code.

Article 2. To approve the "Code of Ethics for Social Workers in Colombia", to read in the terms described below.

Article 3. This Order takes effect as of the date of its publication.

Done in Bogota, 26 June 2015.

Claudia Consuelo González-Ramírez

C.C. No. 52.056.574

President, National Social Work Council

Luis Carlos Ortiz-Monsalve

C.C. No. 79.528.677

Delegate, Minister of Health and Social Protection.

Amanda Patricia Enríquez-Guerrero

C.C. No. 51.870.684

(Abstained)

Attended as proxy for

Sonia Guarín-Pulecio,

Delegate of the Minister of Labour.

Jorge Luis Llamas-Chávez

C.C. No. 73.100.494

President, Federation of Social Workers (FECTS)

Roberth Wilson Salamanca-Ávila

C.C. No. 79.755.706

Delegate of the National Assembly of Faculties of Social Work

Secretary ad hoc:

Clara Inés Rodríguez-Hoyos

C.C. No. 41.317.947

Executive Director, National Social Work Council

CHAPTER 1 OBJECT AND SCOPE OF THE CODE OF ETHICS

Article 1. Object. The object of this Code is to provide social workers with guidelines and orientation on professional practice in the context of human rights and in the terms of the Colombian constitution.

Article 2. Scope. The object described allows social workers engaged in professional practice:

- a) to have guidelines and orientation on actions and decision-making in complex situations;
- b) to establish attitudes and practices, with principles and values, which will secure the achievement of the purposes of the profession;
- c) to direct the principles of personal and professional identity towards the supreme principles of justice, the common good, in social groups and their realities;
- d) to appreciate the value of those social virtues that are conducive to civic existence, and for development of the ideas of the human condition in the context of human rights;
- e) to contribute to the strengthening of academic organizations and associations proper to the profession;
- f) to act with respect and care among themselves and with others;
- g) to generate spaces for peace-building;
- h) to make a commitment to know and respect the rules regulating the profession contained in Law 53/1977, Decree 2833/1981, and Colombian legislation in general.

CHAPTER 2 SOCIAL WORK

Article 3. Criteria to define social work. Thought about social work signifies knowing its dimensions (ontological, epistemological, axiological and practical), synergically connected and interrelated in complex ways with their historical, social and political context. The nature of social work implies, on the one hand, a recognition of "the other", and "others", as social and political subjects able to transform social realities into processes of formation, participation, globalization and collective action; and on the other the recognition of structural and circumstantial situations of social reality, in which those same subjects, organizations, institutions and the State are to be found in daily life.

Article 4. Definition of social work. Social work is conceived as a profession and discipline that forms part of the social sciences, developed in the ambit of

interactions between subjects, institutions, social organizations and the State, in the spirit of dialogue and criticism. It involves reference points in intervention, which are at the core of the structure of the practice of the profession, affording it a social and political meaning that enables it to potentiate processes of social transformation.

Article 5. Other definitions.

- a) The *International Social Workers Federation (IFSW)*, at its General Meeting in 2000 in Montréal, Canada, stated that social work acts in the ambit of relations between social subjects, and between them and the State. It performs a set of actions of socio-educational nature, which have an influence on the material and social reproduction of life, with individuals, groups, families, communities and social movements, from the standpoint of social transformation. These actions seek to strengthen autonomy, participation and the exercise of citizenship; to train, mobilize and organize subjects, individually and collectively guaranteeing access to social goods and services; the defense of human rights; safeguarding of socio-environmental conditions of existence; and respect for human diversity; the principles of the defense of human rights and social justice are fundamental elements for social work, and in they are intended to combat social inequality and situations of violence, oppression, poverty, hunger and unemployment.
- b) IFSW, in 2004, also stated that social work promotes change based on a systematic body of knowledge which recognizes the complexity of interactions between human beings, and to understand them, refers to theories of development, human behavior, and social systems. The intervention of social work covers psycho-social processes and commitments to policies and plans for social development. This includes, amongst other things, an advisory work, social casework, social work with groups, social pedagogy, family therapy, the management of organizations, and community organization.
- c) In the terms of Article 1 of Decree 2833/1981, social work is understood to be a profession which is located in the area of social sciences, which performs activities related to policies for welfare and social development.

CHAPTER 3

SOCIAL WORKERS

Article 6. Social workers. The qualification of professional in Social Work is recognized in individuals who have obtained an academic title as a Social Worker or Professional in Social Work, issued by a State-recognized university. Further, in accordance with Law 53/1977 and Decree 1225/2010, there is the same recognition for those who had previously obtained an academic title issued by a State-recognized university for:

- a) *Licentiate or Doctorate in Social Work;*

- b) *Licentiate in social service;*
- c) *Social assistant;*
- d) *Graduate qualification in social work;*
- e) *Social worker or Professional in Social Work; or*
- f) *Licentiate, doctorate of masters degree in Social Work*, obtained in other countries, with which Colombia has treaties or agreements on the reciprocity of university qualifications. If Colombia has not formally signed an agreement or treaty of reciprocity of university qualifications, an interested party will be subject to the terms that the Ministry of Education may establish to validate or endorse those qualifications.
- g) *Specialization or graduate courses in Social Work*, as under Section (d), to practice the profession of Social Work, complying with the requirements in (a) or (b) of this Article.

Article 7. Other qualifications. As set forth in Law 53/1977, honorary degrees in social work will not be valid.

Article 8. Practice of the profession. According to Article 6 of Law 53/1977, a person must be registered with the National Social Work Council (“the Council”) in order to be able to practice the profession of Social Work, and the Council will issue a professional registration to certify this.

CHAPTER 4

PRINCIPLES AND VALUES

Article 9. Definition of principles. The principles of the foundations, guidelines or postulates which constitute a reference point to guide professional practice.

Article 10. Principles. The principles on which the professional practice of social work is based are those expressed in the Colombian Constitution and the Universal Declaration of Human Rights, taking as a basis of recognition of intrinsic dignity and of equal and inalienable rights of all human beings, within liberty, justice and peace, and care of the environment. These principles must be accepted and assimilated by social workers:

- a) **Justice.** This means giving each his due, without discrimination, and recognizing ethnic and cultural diversity. Social workers are therefore required to assume a commitment to promote social justice for its subjects in particular, and for society in general.
- b) **Dignity.** This refers to the unique and inherent value which the human being deserves. It is the duty of social workers to respect this principle in relations with subjects.
- c) **Liberty.** The self-determination of the individual in decision-making and in

action, where the action does not affect the rights of others. Social workers must deploy action to promote participation, in order to avoid or overcome situations of subjection or domination; and must also help to develop the capacity for independent decision-making, in terms of empowerment and the development of potentialities. Likewise, liberty refers to the autonomy of social workers in their professional practice.

- d) **Equality.** This refers to the same rights and opportunities for all, without discrimination for reasons of gender, race, origin, language, religion, public opinion or philosophy. Therefore, social workers will be guided in their interventions towards the access to and effective enjoyment of rights, and the reduction of inequalities, seeking to secure the suppression of all forms of social, economic, cultural and political exclusion and inequity.
- e) **Respect.** Due consideration for others due to their condition as human beings. In professional practice, social workers must act in recognition of the rights of subjects, their opinions, cultural differences, and their diversity of points of view on social realities.
- f) **Solidarity.** This is understood as the intervention in actions related to a cause. Action is expressed in the professional will and capacity of social workers; they must guide processes and mobilize resources so that they can attend to situations of vulnerability among the public and to meet the demands of society, in order to secure changes or transformations and hence, welfare, equity and quality of life.
- g) **Confidentiality.** Information obtained to be considered to have been obtained on the basis of professional secrecy, respecting the privacy of subjects.

Article 11. Values. Regional, cultural and institutional characteristics influence the recognition that social workers have of values associated with their practice: they include honesty, responsibility, loyalty, commitment, tolerance, the spirit of service, the sense of belonging, prudence, and humility. Social workers will therefore, when they come to define and agree on values, -and even virtues, as case may be- be guided by the seven principles described in the preceding Article, and constantly be aware that the understanding of difference is the cornerstone of the establishment of relations of dialogue and equity.

CHAPTER 5 COMMITMENTS

Article 12. Fundamental commitments of social workers. The fundamental commitments of social workers require that they will:

- a) practice the profession based on human rights, seeking welfare and social development;
- b) guide, promote and accompany processes of formation, participation, collective mobilization and action to achieve the ends of public policy;

- c) play an active part in formulation, development and evaluation of social policy, and plans and programs and projects for welfare;
- d) promote the active participation of subjects in plans, programs and projects of an educational or institutional nature, for coexistence, comprehensive prevention of all manner of problems, civic security, productive development and decentralization, all of which tends to improve the conditions of society and to promote justice and welfare.
- e) guide and accompany situations and subjects with the processes and methods proper to the profession;
- f) identify and suggest ways of overcoming social mindsets that generate exclusion, or discrimination, or segregation, the community;
- g) promote and work for coexistence and peace through processes of intervention would seek to secure the truth, justice, reparation and non-repetition;
- h) encourage knowledge and the protection of the environment;
- i) respond to legitimate demands and rights recognized for subjects, families, groups and communities, particularly in vulnerable sectors;
- j) generate influence on the solution of social problems, processes and transformation and the construction of the fabric of society, using a range of methodologies based on a systematic body of knowledge which will make it possible -amongst other things- to achieve sensitization, prevention, promotion, organization, social mobilization and research; and
- k) contribute to the generation of knowledge of social work and social realities which are the object of its intervention.

Article 13. Subjects. In relation to subjects, social workers in professional practice undertake that they will:

- a) establish relations based on acceptance of dialogue, seeking empathy and trust, to recognize them as legitimate and valid others;
- b) promote the defense of human rights and dignity;
- c) recognize them as multiple, active, decisive and constructive elements of society and its history;
- d) promote autonomy and free determination;
- e) respect their decisions;
- f) accompany them with their professional skills, without discrimination;
- g) keep information received confidential, being careful to preserve the good name of the individual;
- h) recognize, understand and interpret culture in the different contexts encountered;
- i) request prior consent to engage in intervention process; and

j) avoid action which entails damage.

Article 14. With the profession. In their relations with the profession, social workers in their professional practice undertake that they will:

- a) defend it, identify themselves with it, as to be loyal to it;
- b) be familiar with and promote the dissemination of regulations of the profession of social work (Law 53/77 and Decree 2833/1981);
- c) know, accept and disseminate the provisions of this "*Code of Ethics.*"
- d) collaborate with the strengthening of the profession;
- e) keep themselves permanently up-to-date in order to strengthen their professional performance;
- f) keep the social agenda of this country as their reference point, in order to provide a response to existing problems;
- g) contribute to the development of social work, providing knowledge acquired in their professional experience; and
- h) present new contributions, as the product of research and interventions, argued from the point of view of epistemology, theory and methodology.

Article 15. With colleagues. In relations with their colleagues, social workers in their professional practice undertake that they will:

- a) recognize and respect their professional actions;
- b) afford disciplinary teamwork the importance required for comprehensive attention;
- c) share and socialize knowledge and information which would tend to generate actions favoring change where required;
- d) refrain from expressing judgments, criticisms or opinions that might cause harm;
- e) maintain the attitude of solidarity, respect and loyalty;
- f) to act promptly in reporting cases of violations of the terms of this Code of Ethics to the National Social Work Council, providing properly supported evidence; and
- g) recognize and value their contributions.

Article 16. With other professionals. In their relations with other professionals, social workers in their professional practice undertake that they will:

- a) recognize and respect development professions;
- b) afford interdisciplinary and constant disciplinary work the importance it requires for comprehensive protection to subjects;
- c) share and socialize knowledge and information which will which would tend to help provide comprehensive attention; and

d) refrain from expressing judgments, criticisms or opinions that might cause harm.

Article 17. With organizations. In their relations with organizations, social workers in the professional practice undertake that they will:

- a) perform their duties with a current valid professional registration issued by the National Social Work Council;
- b) promote policies, plans, programs and projects sponsored by public, private and social organizations, and addressed to promote processes of inclusion, engagement and social cohesion;
- c) commit to policies, plans, programs and projects, seeking social and environmental sensitivity and responsibility;
- d) Make a critical and propositive analysis in terms of the objects of the profession to assess the quality of services provided in comparison to the legitimate demands and interests of subjects;
- e) defend the rights of subjects in policies and institutional programs;
- f) analyze, when taking part in interdisciplinary teams, decisions related to institutional policy, in order to become aware of a report violations of ethical principles established in this Code;
- g) keep information confidential; and
- h) take due care of articles or funds entrusted to them.

CHAPTER 6

THE DISCIPLINARY REGIME

Article 18. Offences. Without prejudice to legal actions that may be available, the following are considered to be offences:

- a) Contravention of provisions of Colombian law regulating the profession, contained in Law 53 section 1977 and Decree 2833/1981;
- b) Violation of the terms of the "*Code of Ethics for Social Workers in Colombia*".
- c) Disciplinary offences of social workers acting as public servants; and
- d) any act that Colombian law defines as being a petty offence or crime.

Article 19. Reporting of offences. It is the responsibility of the National Social Work Council to take knowledge of reports presented to it in respect of offences against professional ethics, and to sanction them, as stated in Article 8 of Law 53/1977.

Article 20. Processing of offences reported. Reports must be presented in writing, with support, to the National Social Work Council for study.

Article 21. Study of offences reported. Offences reported will be studied by the *Ethics Committee*.

Article 22. The Ethics Committee. The National Social Work Council, attending to the terms of Order 1/2001, will form an "*Ethics Committee*", to be composed of three social workers; a delegate of CONETS, a delegate of FECTS and a delegate of the National Social Work Council, elected by public invitation for candidates, for periods of three years, re-elegible. They will take office at an Ordinary or Extraordinary Meeting of the National Social Work Council, presenting evidence of their delegation, and this will be reflected in a Council Agreement.

Article 23. Profiler of members of the Ethics Committee. The members of the *Ethics Committee* must present documentation showing that they are social workers who have been in professional practice for not less than 10 years, and that they have a current professional registration; and that they have knowledge of ethics.

Article 24. Ethics Committee advisers. The Ethics Committee will have the advisory services of the Executive Director of the National Social Work Council, to provide information about reports of offences received, and to coordinate the proceedings; and a legal adviser.

Article 25. Functions of the Ethics Committee. The Ethics Committee will respect due process, and have the following functions:

- a) to receive, study and evaluate reports of offences forwarded by the Executive Director of the National Social Work Council to each Committee member;
- b) to discuss and analyze reported offences;
- c) to hear the parties;
- d) to give its opinion in each case, expressing it in a document entitled "Decision";
- e) to deliver the Decision to keep the Executive Director of the Council; and
- f) to collaborate with the Council in actions related to ethics.

Article 26. Disciplinary procedure.

- a) Once a complaint has been received and registered, the *National Social Work Council* will have ten working days to send a copy of the report to the professional concerned, and to issue a summons for that professional to give explanations to the *Ethics Committee*. Explanations may also be presented in writing prior to the summons.
- b) Prior to the decision of the *Ethics Committee*, the professional will be given a copy of the report of the offence, and will have the opportunity to exercise the right to defense at all times, in accordance with the terms of Article 29 of the Colombian constitution. Any sanction imposed without respecting this procedure will be null.

- c) For social workers resident in municipalities other than Bogotá, explanations can be made using media with audio/video.
- d) After the explanations have been heard, and evidence taken as relevant, the *Ethics Committee* will issue its decision. The decision will be communicated personally to the interested party, or a copy will be sent by registered mail to the address registered.
- e) The interested party may take recourse against the decision as follows: there may be a request for reconsideration, made to the *Ethics Committee*, or an appeal made to the President of the *National Social Work Council*, within ten days following personal service, or the dispatch of by mail. This, in accordance with the terms of Articles 29 and 31 of the Colombian Constitution.
- f) If the time allowed for lodging recourse has expired, and the interested party has not taken recourse, or has done so and a decision has been made, that decision will be in firm, and the only remedy against it will be action before regular courts or the administrative jurisdiction, as the case may be.

Article 27. Sanctions. A sanction will require unanimous decision of the Ethics Committee, taking account of Article 7 of Decree 2833/1981, and in conformity with subsection "A" of Article 8 of Law 53/1977, along with the preliminary study and assessment of the complaint made, the nature and gravity of the offence, and the social importance of the damage caused. The following sanctions may be imposed:

- a) **Verbal warning.** The President of the *National Social Work Council* will issue a private warning to the person sanctioned, based on the text of the decision issued by the *Ethics Committee*.
- b) **Public warning.** The President of the *National Social Work Council* will report the decision of the *Ethics Committee* to the person sanctioned, and will further post it in a visible place on the premises of the Council, and send it to CONETS and FECTS, to the management of academic units and social worker associations around the country.
- c) **Temporary suspension of professional registration.** The period of suspension will be for 1-5 years. The *National Social Work Council* will issue a motivated resolution on the decision of the *Ethics Committee*, and the President will serve notice of it on the professional so sanctioned. The President will also post it in a visible place on the Council premises, and send it to CONETS and FECTS, the management of the academic units and associations of social workers across the country.
- d) **Cancellation of professional registration.** The *National Social Work Council* will, in a motivated resolution on the decision of the *Ethics Committee*, cancel the professional registration of the person sanctioned. The President will serve notice of the cancellation. The resolution will be posted on a visible place on the Council premises, and be sent to CONETS, FECTS, the management of academic units and associations of social workers across the country. Further, it will be published in national press to inform public and private entities.

Annex A. LAW 53/1977

(December 23)

regulating the practice of professional social worker, and other provisions.

The Congress of Colombia

DECREES

Article 1. The practice of the profession of social worker will be regulated in accordance with the regime of this Law.

Article 2. Only professional social workers will for the purposes of this Law be called "social workers", and only they may perform the functions established for the profession, both in public and private activity.

Paragraph. For the practice of the professional social worker, in addition to academic requirements set by the Government, the individual concerned must have worked for one year in entities which the Government may designate, whether in urban or rural areas.

Article 3. State and private enterprises that require the services of social workers may only contract professionals with university qualifications.

Article 4. It is mandatory for businesses that have a large number of workers-the number will be assessed by the Government-to contract social workers in their service, in order to collaborate in the development of employment policy, salary and investment of the same.

Article 5. For the purposes of this Law, the following are recognized as professionals in social work:

- a) Those who have obtained now or in the future the academic title of licentiate or doctorate in social work, issued by a State-recognized university;
- b) Those who have obtained, prior to the effective date of this Law, the title of licentiate in social services, issued by a State-recognized University;
- c) Those who obtained prior to the effective date of this Law, the qualification of social assistant, issued by the State-recognized institution of higher education;
- d) Those who have obtained a post-graduate qualification in social work, issued by a State-recognized university, subject to the provisions for this case provided in this Law;
- e) Those who have obtained now or in the future an equivalent qualification to licentiate, doctorate or masters degree in social work, in another country with which Colombia may have signed treaties or agreements for the reciprocity of university qualifications; and

- f) Those who have obtained a qualification in a country with which Colombia has not signed made an agreement or treaty of reciprocity for university qualifications, provided that the interested party abides by the conditions set by the Ministry of Education to validate or endorse those qualifications.

Paragraph. Those who obtain a graduate specialization or other qualification in social work in accordance with subsection (d) of this Article the practice group profession to practice the profession of social worker, must comply with requirements established in one of subsections (a) or (b) above in order to be able to practice the profession of social worker.

Qualifications acquired by correspondence, or merely honorary qualifications will not be valid for the practice of a professional social worker.

Article 6. The person must be registered with the National Social Work Council in order to practice the profession of social worker, and the council would issue the document to certify registration.

Paragraph. The professional social workers referred to in Article 3 must register their qualification to the National Social Work Council within 12 months from the effective date of this Law.

Article 7. The National Social Work Council is created, and is formed by the following:

- The Ministry of Education or as delegated;
- The Minister of Health or as delegated;
- The Minister of Labour or as delegated;
- The President of the National Social Work Education Council or as delegated;
- The President of the National Federation of Social Workers or as delegated; and
- A delegate of the National Assembly of Social Work Faculties.

Article 8. The National Social Work Council will have the following functions:

- a) To take knowledge of reports presented of offences against professional ethics, and to sanction them;
- b) To decide, within 30 days of presentation, on applications for registration of social workers referred to in Article 3;
- c) To decide on the suspension or cancellation of registrations in accordance with the terms of this Law;
- d) To report to the competent authorities all violations of practice of the profession of social worker, and to request the imposition of related punishment for them;
- e) To issue internal regulations for the Council; and
- f) Others as indicated in Law and Decrees of the Government.

Article 9. The faculties of social work established now or in the future in Colombia for the formation of professional social workers, will function within a State-

authorized and recognized university, and under the inspection and oversight of the Ministry of Education, in accordance with the provisions of Lawing force for university-level education.

Article 10. This Law takes effect from the date of its sanction.

Done in Bogota, DE, on 23 December 1977.

The President and of the Honorable Senate of the Republic.
EDMUNDO LÓPEZ-GÓMEZ.

President of the Honorable Chamber of Representatives.
ALBERTO SANTOFIMIO-BOTERO.

Secretary General of the Senate,

AMAURY GUERRERO.

Secretary General of the Chamber of Representatives,

IGNACIO LAGUADO-MONCADA.

Republic of Colombia, Government.

Bogotá, D.E., 23 December 1977.

Be this published and executed.

President of the Republic,

ALFONSO LÓPEZ-MICHELSEN

Minister of Labour and Social Security,

OSCAR MONTOYA-MONTOYA.

Minister of Health

RAÚL OREJUELA-BUENO.

Minister of Education

RAFAEL RIVAS-POSADA.

Taken from *Diario Oficial* No. 34940, Thursday 26 January 1978, p. 68.

Annex B. DECREE 23/1981.

(October 9).

Regulating Law 53/1977.

The President of the Republic of Colombia, in exercise of his powers under Articles 120.3 and 12 of the Constitution.

DECREES

Article 1. In the terms of Law 53/1977, social work is understood to be the profession located in the area of social sciences, which performs activities related to policies for welfare and social development. The duties of professional social workers are principally the following:

- a) To take part in the creation, planning, execution, administration and evaluation of welfare and social development programs;
- b) To take part in the formulation and evaluation of State and private policies for welfare and social development;
- c) To engage in research which will identify and explain social realities;
- d) To organize groups and individuals to take part in plans and programs for social development;
- e) To collaborate in the selection, formation, oversight and evaluation of personnel engaged in welfare and social development programs; and
- f) To take part in the treatment of problems related to the individual, groups and the community, applying techniques proper to the profession.

Article 2. Only those who have an academic qualification as Social Worker or its equivalent, issued in accordance with the Law by a State-approved institution of higher education, and further, have obtained registration in the National Social Work Council, may practice the profession of social worker.

Article 3. The registration of qualifications obtained in Colombia will be governed by the provisions of Decree 2725/1980, as supplemented, amended or substituted; qualifications obtained abroad will require to be validated and registered by the higher education institute ICFES, in accordance with Decree 1074/1980, as supplemented, amended or substituted.

Article 4. The following documents must be presented for registration with the National Social Work Council:

- a) Written application; and
- b) Document accrediting registration of the qualification.

Paragraph. Social workers who have obtained their qualification prior to the effective date of this Decree must apply for registration at the National Social Work Council.

Article 5. The National Social Work Council will issue its decision within thirty (30) working days of the application for registration. If accepted, it will then issue the document certifying registration.

Article 6. The oversight and control of compliance with Articles 3 and 4 of Law 53/1977, and with the relevant provisions of this Decree, will be exercised by the Ministry of Labour and Social Security.

Article 7. The sanctions referred to in subsection 8.a) of Law 53/1977 will be imposed after a study of the complaint made, attending to the nature and gravity of the offence, and the personal and professional background of the person responsible. Sanctions will include:

- a) verbal warning; and
- b) public warning, through motivated resolution.

Article 8. The only recourse in ordinary process against a decision of the National Social Work Council is the request for reconsideration mentioned in Law 2733/1959.

Article 9. It is mandatory for businesses to contract social workers in the proportion of one per 500 permanent workers, and one per fraction over 200 workers permanent workers, in order to comply with the purposes of Article 4 of Law 53/1977.

Article 10. The decisions of the National Social Work Council require the favorable vote of an absolute majority of its members.

Article 11. The qualification of social worker and of Specialist, Masters and Doctorate may only be granted by State-authorized higher education institutions.

Article 12. The Government will act through the Ministry of Labour and Social Security to set aside a budget funds required for the functioning of the National Social Work Council.

Article 13. This Decree takes effect as of the date of its promulgation

Be this communicated, published and obeyed.
Done in Bogotá D. E., 9 October 1981.

President of the Republic,
JULIO CESAR TURBAY-AYALA
Minister of Labour and Social Security,
MARISTELLA SANÍN DE ALDANA
Minister of Public Health
ALFONSO JARAMILLO-SALAZAR
Minister of Education
CARLOS ALBÁN-HOLGUÍN

Taken from *Diario Oficial* No. 35876, Tuesday 3 November 1981.

Printing of this work was completed in
October 2015 at
Grupo Editorial Ibáñez.
Carrera 69 Bis N° 36-20 Sur.
Phones: 230 0731 y 238 6035
Bookshop: Calle 12 B No. 7-12, L. 1
Phones: 283 5194 y 284 7524
www.grupoeditorialibanez.com
E-mail: gerencia@grupoeditorialibanez.com
Bogotá, D.C., Colombia.

Consejo Nacional de Trabajo Social
Calle 78 No. 12 A-15, Localidad de Chapinero.
PBX: 248 4683
Bogotá, D.C., Colombia.
correogeneral@consejonacionaldetrabajosocial.org.co
www.consejonacionaldetrabajosocial.org.co