



PERSPECTIVE

FALL 2008 VOLUME 7, NUMBER 2

Annual Fee Further Reduced

In 2007, the College’s Finance Committee made a recommendation that an annual review of membership fees occur in conjunction with budget preparation for the subsequent fiscal year. This came as a result of Council’s continuing commitment to balance recommendations from the membership regarding the fee while remaining fiscally responsible.

When looking at the possibility of a further fee reduction, Council considered a number of variables, taking into account the strategic priorities of the College vis-à-vis our current financial situation. There are several major expenses yet to be realized, including the launch of the Continuing Competence Program and the entry to practice examination for both professions. There may also be unanticipated expenses as a result of new legislation affecting the College and its members, particularly the implementation of the *Health System Improvements Act* and the regulation of psychotherapy.

Keeping these issues in mind as well as requests from the membership for a reduced fee, Council felt a 20% reduction would be prudent at this time in order to balance both priorities. Therefore, at the May 2008 Council meeting, a by-law was approved reducing the registration fee and annual fee for members effective January 1, 2009. The fee, which will be reflected on the upcoming 2009 annual renewal of registration form, will be \$270 and \$170 for new graduates of social work and social service work programs.

Recruiting new graduates continues to be a goal for the College and signals the importance of these potential new members and recognizes the financial constraints that many



new graduates face as they enter the workforce. The new graduate fee has been extremely well received with more than 575 new graduate members being registered since the fee was introduced in 2007.

The inactive category of membership is an initiative the College continues to work on. In 2006, Council approved the creation of an inactive category for those who are retired or not currently practising. Introducing it, however, would require a legislative change to the Registration Regulation under the *Social Work and Social Service Work Act*. This is a significant undertaking, however, the College is committed to moving forward with this project and recognizes the importance of this category for many members.

If you have any questions about the new fee, please contact the College via e-mail at info@ocsyssw.org.

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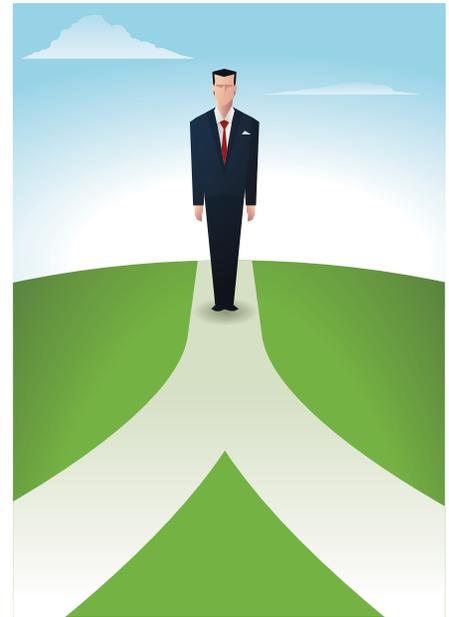
Career Map for Social Work and Social Service Work

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With the Ontario government's commitment to facilitating the entry of internationally educated professionals into the workforce, the Ministry of Citizenship and Immigration's Labour Market Integration Unit has developed career maps for many regulated professions. The intent is to provide these individuals with information in plain language that will help them navigate the Ontario/Canadian employment system and assist them once they arrive in Canada.

The College, in conjunction with the Ministry, developed a career map for the professions of social work and social service work. The document provides detailed information regarding the two professions, the mandate of the College and the requirements for internationally educated professionals to register with the College. The document is currently available on the Ministry's website. Hard copies of the document will also be made available



in many locations across the province, specifically through the Access and Resource Centres for the Internationally Trained (Global Experience Ontario).

To access the career map for social workers and social service workers as well as other regulated professionals online, please visit www.citizenship.gov.on.ca.

Deputy Registrar Appointment

We are pleased to announce that Pamela Blake, the College's Director of Professional Practice and Education has been appointed to the position of Deputy Registrar. Pamela has been with the College since January 2001 and was instrumental in the revisions to the Standards of Practice as well as the development of the College's Continuing Competence Program. She has over 20 years of clinical, educational and administrative experience at the Clarke Institute of Psychiatry and the Centre for Addiction and Mental Health in Toronto, where she held various management positions. She received her Master of Social Work degree from the University of Toronto and her Bachelor of Social Work degree from McGill University.

Annual Meeting & Education Day 2008: Most Successful to Date

On June 18, 2008, the College had the pleasure of welcoming over 500 members and guests to our Annual Meeting and Education Day, themed *Principles of Professionalism*. Judging by the overwhelmingly positive feedback we have received, it's safe to say this year's event was our most successful yet.

Community and Social Services Minister Madeleine Meilleur kicked off the day with an address to delegates followed by the Annual Meeting. The Keynote Address was next on the agenda with Lorie Shekter-Wolfson, M.S.W., RSW, Dean of George Brown College's Community Services and Health Sciences faculty. Entitled *The Chameleon Effect: Defined by Professionalism*, Lorie's speech was extremely well-received with 95% of respondents saying it was relevant and helpful to their practice.

Delegates next gathered for a networking lunch followed by breakout sessions in the afternoon. Topics for the breakouts included *Consent and Capacity Board Hearings*; *Working With Victims of Crime*; *Mindfulness-Based Trauma Counselling*; and *Service User/Provider Collaboration*, among several others. Eight sessions in all were held during the afternoon with extremely encouraging reviews from attendees.

We also received a number of useful suggestions which are always taken into consideration for planning future events. By

filling out online evaluation forms, delegates were particularly helpful in allowing us to review the event and provide feedback to the speakers.

We would like to thank all members who attended the event, as well as the following speakers who made the day a great success:

Lorie Shekter-Wolfson, RSW

Dr. Ann Cavoukian

Bruce Rivers, RSW

Elda Lansfield, RSW, Pierre-Paul Filion, RSW and Brian Wilson, RSW

Bina Osthoff, RSSW

Billee Laskin, RSW and Susan Harris, RSW

Kevin Kennedy, RSSW, Felicity Morris, RSW, Michael Nir and Heather Mitchell

Dr. Judith Dunlop, RSW

Work has already begun for the 2009 event which is booked for June 24, 2009 at the Metro Toronto Convention Centre. As always, we encourage you to register early as the event is becoming increasingly popular. We will provide further details on the event as they become available. We look forward to welcoming you in 2009!

BELOW ARE SOME OF THE COMMENTS WE RECEIVED FROM MEMBERS ABOUT THE EVENT:

"I think that the College did an excellent job of organizing and running the meeting. I found it to be quite informative. It was also a good opportunity to network with old friends and to meet new colleagues."

"Information was clear and concise. The speech by the Minister demonstrated government commitment to vulnerable populations. Refreshing to hear!"

"The Chameleon Effect – Defined by Professionalism, provided valuable information. I was able to leave the presentation thinking about my role at my workplace and how I could work more efficiently with colleagues."

College Forums: Updates and Strategic Priorities

In April and early May of this year, the College invited members and prospective members to attend information sessions in order to introduce the revised Standards of Practice and to provide an update on the strategic priorities of the College. This was an excellent opportunity for members to meet with College staff and Council members, to provide input and to ask questions regarding the College and its programs.

President Rachel Birnbaum, Registrar Glenda McDonald and Director of Professional Practice and Education Pamela Blake presented to members in Toronto, Orillia, Windsor, London, Sudbury, Thunder Bay, Ottawa, Kingston, Hamilton and Kitchener. It has been a goal of the College Council for some time to implement an outreach program and with the final approval of the revised Standards of Practice, this was an ideal opportunity to meet with members across the province.

The forums were very well received by attendees. Many members commented how positive it was that the College made an effort to visit cities outside of the GTA and reach out to members. A number of themes and questions emerged from the sessions which we will address in the Q&A feature

in upcoming issues of *Perspective*. However, one predominant theme at each forum was the idea of having the Annual Meeting and Education Day in different cities each year. Unfortunately, due to the amount of work and staff resources involved in organizing the event and the fact that the College offices are in Toronto, it is not logistically possible for the College to move the event each year around the province. However, recognizing the success of these forums and the comments regarding the Annual Meeting and Education Day, Council is committed to continuing these outreach efforts in the coming years. It is extremely important for members to have the opportunity to meet with College representatives, to ask questions and to provide input on future initiatives.

We would like to thank the members who attended the sessions and hope it was a positive experience. If you were unable to attend a session, the presentation slides are available to download from the College's website at www.ocswssw.org. We look forward to hosting similar events in the future. It is our intention to continue fostering a positive relationship with all members across the province.



Continuing Competence Program Update



Now that the revised Standards of Practice are complete and have been distributed to all members, work on finalizing the Continuing Competence Program has begun. The purpose of the program is to ensure that members meet professional and ethical standards and that practice enhancement takes place in an ongoing manner.

The program is based on an adult education model. It requires members to review their professional responsibilities, conduct a self-assessment, identify learning objectives, develop and implement a learning plan, and evaluate their progress. Once the program is implemented, members will be required to make an annual declaration to the College of their participation in the program.

In 2004, the College conducted Phase 1 of its consultation on the Continuing Competence Program to identify and resolve potential problems with the program in order to enhance its usefulness to members. Based on the feedback from Phase 1, the College made revisions and began Phase 2 in May 2008. Cathexis Consulting Inc., an independent research firm, conducted a survey of purposefully-selected members which allowed for feedback on the revisions based on the recommendations from Phase 1. This was the final phase of the consultation and based on its findings, the program will be finalized and brought before the College Council for approval.

Once Council has approved the program, the College will communicate with members regarding the requirements of the program and will distribute the program materials which can be included in the new member resource binder.

If you have questions about the Continuing Competence Program, please contact Nancy Martin, M.S.W., RSW, Professional Practice Associate at 416-972-9882 or 1-877-828-9380 ext. 225 or e-mail nmartin@ocswssw.org

District 3 Election Results

The following is notification of the results of the election of members of the College to the Council, which took place on May 29, 2008 in electoral district three, composed of the geographic area within the territorial boundaries of the Counties of Haliburton, Victoria, Peterborough, Northumberland and Simcoe, the Regional Municipalities of Durham, York and Peel and the City of Toronto. This year's election was extremely robust, with 13 members running for the two social work positions and five social service work members running for the two social service work positions. The following members of the College are the candidates who received the greatest number of votes in the election:

Social Work – Rachel Birnbaum

Social Work – Beatrice Traub-Werner

Social Service Work – Kim Lewis

Social Service Work – Greg Clarke

The College thanks all members who stood for election and congratulates those members who received the greatest number of votes in each membership category. Next year's election will take place in district four where two social workers and two social service workers will be elected to sit on the College Council.

Council Highlights – May 9, 2008

- The Registrar updated Council on the implementation of the *Psychotherapy Act*. The government is currently recruiting for individuals to sit on the Transitional Council of the College of Psychotherapists and Registered Mental Health Therapists, and Registrar Glenda McDonald will apply for a position on the Council. Also, a survey was sent out to members via eBulletin to gather information from those who practise psychotherapy. The results will give the College a better grasp of the number of members affected by the legislation and will help determine how it will regulate its members who practise psychotherapy.
- Council approved a policy to allow the release of information from the Register for research purposes. This will be a consent-based process which will be implemented on the 2009 annual renewal of registration form.
- Council approved a by-law change reducing the annual fee for members to \$270 and \$170 for new graduates effective January 1, 2009.
- The Registrar informed Council that the changes to the registration section of the website are almost complete. This is an initiative the College is undertaking in order to comply with the *Fair Access to Regulated Professions Act*.
- The Registrar updated Council on the 2008 Annual Meeting and Education Day which will take place on June 18th at the Metro Toronto Convention Centre. Registration has begun and the response has been extremely positive with 350 delegates already registered to attend.
- The Registrar informed Council that the application to become a member of the Association of Social Work Boards (ASWB) has been submitted and will be considered at the May ASWB Board meeting.
- The Registrar informed Council that the College is a platinum sponsor for the Canadian Association of Social Workers' conference being held in Toronto from May 22-25, 2008. The College will have a display booth at the conference and President Rachel Birnbaum will be introducing the keynote speaker Margaret Trudeau.
- The Registrar informed Council that an article regarding Bill 14, the *Access to Justice Act*, was published in the most recent issue of *Perspective* and asked members to contact the College if they believe their practice is affected by this legislation. To date, no calls have been received.
- The Council approved a motion to support the establishment of a Canadian Council of Social Work Regulators and to participate informally in the Intersectoral Collaboration Committee, an initiative to promote communication, connection and collaboration among the Canadian Association of Social Workers (CASW), the Canadian Association for Social Work Education (CASWE) and social work regulatory bodies.
- The Registrar reviewed the evaluations from the College Forums that took place around the province during April and early May. The response from the events was overwhelmingly positive and it is hoped that similar events will be planned for future years.
- Anita Gupta, Public Member was appointed to the Election Committee to replace Zita Devan, Public Member whose term has expired.
- The Registrar reviewed the financial statements and the 2007 audit.
- The Registrar reported:
 - that we have had a 95% renewal rate for the 2008 year and have registered 734 new members to date;
 - that the equivalency project is continuing;
 - that the revised Standards of Practice and member resource binder have been distributed to all members;
 - that further consultation will take place in the coming months regarding the Continuing Competence Program;
 - that we are communicating on a regular basis with staff at the Ministry of Community and Social Services;
 - that the *Perspective* newsletter has been distributed and the Annual Report 2007 will be distributed by the end of May.
- Reports were received from the following statutory and non-statutory committees: Complaints, Discipline, Registration Appeals, Standards of Practice and Election.

Council Highlights – September 15 - 16, 2008

- The following Council members were elected by Council to the Executive Committee:
 - Rachel Birnbaum RSW** – *President*
 - Sue-Ellen Merritt RSSW** – *First Vice-President*
 - Norman MacLeod, Public Member** – *Second Vice-President*
 - John Pretti RSW** – *4th Executive Member*
 - Mukesh Kowlessar RSSW** – *5th Executive Member*
 - Susan Clark, Public Member** – *6th Executive Member*
- Council discussed the results of a survey distributed to the membership regarding the practice of psychotherapy. The information gathered will be used to help determine the competencies required for those who will be authorized to perform the controlled act of psychotherapy. The College continues to meet with the other provincial regulators who are also authorized to perform the controlled act.
- When changes are made to the Registration Regulation to comply with the Agreement on Internal Trade, the College is hoping to make the changes necessary to implement an inactive category of membership.
- Council reviewed the College's obligations regarding the *Fair Access to Regulated Professions Act, 2006*.
- Council reviewed the evaluations from the 2008 Annual Meeting and Education Day which were very positive. The 2009 event is scheduled for June 24th at the Metro Toronto Convention Centre.
- The draft Revised Investment Policy has been reviewed by the Finance and Executive Committees and will be discussed at the December Council meeting.
- In May, the College became the 9th province to join the Association of Social Work Boards. The ASWB annual meeting will take place in Rhode Island in November and several College representatives will attend.
- The College was a platinum sponsor for the CASW Conference which took place in May. The impact of this appears to have been very positive.
- The Registrar reported that the CASW/ CASWE Intersectoral Initiative has developed terms of reference. CASW has drafted a Scope of Practice document, which the Canadian Social Work Regulators will respond to.
- Council reviewed the evaluations from the College forums which took place in 10 cities in Ontario in April and May. The evaluations were extremely positive and further outreach efforts will be considered.
- The Nominating Committee met on September 15, 2008 to make recommendations to Council regarding the composition of Statutory and Non-Statutory Committees. Council approved the recommendations regarding the membership and chairmanship of the Statutory and Non-Statutory Committees of Council. For details, please visit the Committees menu on the College website.
- Council welcomed new members Lily Oddie, Greg Clarke, Kim Lewis and Beatrice Traub-Werner.
- Council reviewed and approved By-Law No. 68 amending Election By-Law 36.
- At the request of the Registration Appeals Committee, and approval of Executive Committee, a review will be undertaken of the Registration Policy regarding Combination of Academic Qualifications and Practical Experience Substantially Equivalent to a Diploma in Social Service Work.
- Council reviewed the College's submission to the Standing Committee on Social Policy regarding the review of the *Personal Health Information Protection Act, 2004*.
- Council reviewed and approved the Scopes of Practice Position paper, which was revised based on feedback from members and stakeholders.
- An update was provided on the database upgrade and online project, which will improve online services to members and stakeholders.
- The Registrar reported on membership statistics, the status of equivalency applications, the appointment of the Deputy Registrar and stakeholder relations.
- Reports were received from the following statutory and non-statutory committees: Complaints, Discipline, Registration Appeals, Standards of Practice, Election, Nominating and Finance.

Discipline Decision Summaries



These summaries of the Discipline Committee's Decisions and Reasons for Decision are published either pursuant to the Discipline Committee's penalty order or with the agreement of the College member who is the subject of the Decisions.

By publishing such summaries, the College endeavours to:

- illustrate for social workers, social service workers and members of the public, what does or does not constitute professional misconduct;
- provide social workers and social service workers with direction about the College's standards of practice and professional behaviour, to be applied in future, should they find themselves in similar circumstances;
- implement the Discipline Committee's decision; and
- provide social workers, social service workers and members of the public with an understanding of the College's discipline process.

DISGRACEFUL, DISHONOURABLE AND UNPROFESSIONAL CONDUCT

Member, RSW

AGREED STATEMENT OF FACTS

The College and the Member submitted a written statement to the Discipline Committee in which the following facts were agreed:

1. The Member was, at all relevant times, employed at a hospital in Ontario.
2. A Client began outpatient therapy with a Hospital psychologist and intern, initially concerning depression related to chronic pain and generalized anxiety. The

Client's case was transferred to the Member.

3. The Member provided professional counselling and/or psychotherapy services to the Client for approximately eight months. During that period of time (for approximately a month) the Client was voluntarily admitted to the Hospital under the care of a psychiatrist, due to depression, anxiety and an inability to manage day-to-day. The Member also provided counselling and psychotherapy services to the Client during this admission.
4. In the approximate eight-month period of time during which the Member provided psychotherapy and counselling to the Client, the Member engaged in a series of boundary violations, including the following:
 - The Member lost objectivity regarding the Client's possible involuntary admission to the Hospital in the Fall of 2003, because the Member felt guilty for what the Member viewed as the lack of appropriate treatment the Client had previously received and felt that it was the Member's responsibility to make up the time the Client had spent at the Hospital without proper treatment. The Member acknowledged that as a result, the Member "crossed all kinds of boundaries – even boundaries [the Member] never [crosses] – to make this happen."
 - The Member spent much more time with the Client than was appropriate and inappropriately shared a significant amount of personal information with the Client.
 - The Member failed to transfer the Client's care to someone else where advised to do so by the Member's Clinical Manager due to the boundary issues in the Member's treatment of the Client.
 - During therapy sessions, the Member spoke with the Client frequently about the Client's desire to pursue a relationship with the Member, and responded to the Client's questions about the Member's sexuality.
 - The Member experienced countertransference in the Member's work with the Client, feeling that the Member and the Client had a great deal in common, would get along well as friends, shared similar ideas and interests and worked in the same field.
 - The Member failed to appropriately and sufficiently

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document in the Member's clinical notes the transference and countertransference issues which arose regarding the Client. The Member also failed to appropriately document in the clinical notes the consultation and supervision the Member received in the Client's case, the personal disclosures the Member made to the Client or the Member's attempts to transfer the Client to another therapist.

5. The Member ignored warnings from the Client's treating psychiatrist, the Member's Clinical Manager and other Hospital staff who raised concerns about the amount of time the Member was spending with the Client and about the Member's relationship with the Client.
6. In or about November/December 2002, the Member spoke with the Clinical Manager about countertransference in the Member's therapeutic relationship with the Client and the Member acknowledged that too much time was being spent with the Client and that the Member was getting too close to the Client and needed to "let go."
7. The Clinical Manager encouraged the Member to find a way to discharge the Client and the Member agreed to do so, stating the Member would also speak to the Member's own therapist about the Member's concerns. Although the Member advised the Clinical Manager a number of months later that the Client had been discharged, the Member did not have any further discussions with the Clinical Manager (either before or after the discharge) regarding the Client and the Member's relationship with the Client.
8. The Client's psychiatrist also cautioned the Member to be aware of the Member's relationship with the Client, especially in light of the psychiatrist's concerns about the Client's possible personality traits. The psychiatrist has no recollection of the Member seeking further advice after their initial discussion, or that the Member asked to discharge the Client.
9. The above-outlined boundary violations and transference and countertransference issues eroded the professional relationship between the Member and the Client and contributed to the Member pursuing and establishing a dual professional and personal relationship with the Client.
10. The Member collaborated with the Client in an early termination of therapy, based primarily on the Client's report that the Client was asymptomatic and functioning, thereby giving the Client, and not the social worker the responsibility for the clinical decision to terminate therapy. There is no indication that the Member questioned the possibility that the Member or the Client may have been inappropriately motivated to terminate therapy (i.e. so as to allow a personal relationship between them to proceed), or that the Member sought consultation or supervision in regard to the possible early termination of therapy or anything else, to ensure that the Client's best interests were served.
11. Immediately after the termination of the therapeutic relationship, the Member entered into a personal relationship with the Client, during which the Member,
 - Received twice weekly telephone calls from the Client, asking to meet with the Member socially;
 - Met with the Client for dinner;
 - Allowed the Client to stay overnight at the Member's home, and in the Member's bedroom;
 - Invited the Client to vacation with the Member for a few days at a rental cottage in the countryside in the summer of 2003, and did vacation with the Client at that cottage, despite the Client's prior disclosure to the Member of the Client's sexual interest in the Member;
 - Continued to socialize with the Client throughout the Fall of 2003;
 - Exchanged correspondence with the Client by mail and e-mail;
 - Made disclosures to the Client of highly personal information, including expressions of the Member's personal and intimate feelings about the Client; and
 - Vacationed with the Client out of the country during the week of December 6, 2003, following which the extra-therapeutic relationship was terminated by the Member.
12. While vacationing together in the country side in the summer of 2003, a sexual encounter occurred between the Member and the Client. Immediately after that encounter, the Member wrote a letter to the Client, referring to the encounter. The Member stated that the Member did not feel pressured by the Client and stated

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that “[a]s for the sexual piece, I’m glad I explored it, and in all honesty, I feel pretty relieved that it didn’t feel right to me”.

13. The Client and the Member continued to maintain a personal relationship and to see each other socially throughout the summer, fall and winter of 2003. They vacationed together out of the country in December 2003. Upon returning from their trip, the Member ended the relationship with the Client.
14. The Member admits that the Member’s relationship with the Client was inappropriate and that the Member was aware of that inappropriateness prior to and throughout the relationship. The Member specifically discussed with the Client, during therapy sessions, that having any kind of post therapeutic relationship with the Client was professionally wrong and that it might be emotionally unhealthy for the Client.
15. Although the Member knew that the Member’s relationship with the Client had been inappropriate and “professionally wrong”, the Member used the Member’s professional position and knowledge of the Client’s emotional health to try to intimidate the Client and prevent the Client from reporting their relationship to the Hospital or the College. The Member sent the Client e-mail messages warning that if the Client made any public allegations against the Member, the Client’s mental health record would be subpoenaed and reviewed and that the content of the record would have the effect of discrediting the Client and the Client’s interpretation of their relationship. The e-mail message also stated that the Member could get financial backing to take the matter “all the way” in court and suggested that such litigation would cause the Client to “go broke”, expose the Client’s mental health record and lead to the Client’s employer being advised of the Client ‘enjoying treats’ very frequently while on call, and of the Client’s criminal record.
16. The Member falsely advised the Client that the Member made a report to the Member’s “employer and to the College (whom [the Member meets] with regularly now for supervision)” and that “they’ve told [the Member that the Member’s] job isn’t in jeopardy unless there’s a report against [the Member].” The College has no record

of any such self-report, nor does the College meet with its members in the manner described by the Member.

17. Despite the Member’s e-mail messages (which the Client viewed as threatening and designed to prevent the Client from complaining to the College or the Hospital), the Client filed a complaint with the College.
18. The Hospital terminated the Member’s employment, after conducting an investigation which determined that the Member’s behaviour demonstrated a serious lack of judgement and constituted a breach of the Member’s professional obligations both to the Client and to the Hospital. In reporting the termination of the Member’s employment to the College, the Hospital informed the College that the Member admitted to having a personal relationship with the Client as well as a sexual encounter. The Member also admitted to sending threatening e-mail messages to the Client in order to coerce the Client into not coming forward with a complaint.

ALLEGATIONS AND PLEA

The Discipline Committee accepted the Member’s plea, admitting the truth of the facts set out in the Agreed Statement of Fact and that the Member is guilty of the following acts of professional misconduct as set out in Section 26(2)(a) and (c) of the *Social Work and Social Service Work Act* (the “Act”), and as set out in the Amended Notice of Hearing:

1. That the Member violated section 2.2 of Ontario Regulation 384/00 (Professional Misconduct) made under the Act, and Principle VIII of the First Edition of the College’s Standards of Practice (as commented on in Interpretations 8.1 and 8.7) by engaging in a sexual relationship or behaviour of a sexual nature with the Client when the Member established a personal relationship with the Client, to whom the Member had provided counselling services and/or psychotherapy services and, on one occasion, engaged in touching of a sexual nature and behaviour of a sexual nature towards the Client.
2. That the Member violated section 2.2 of the Professional Misconduct Regulation and Section 1 of the Code of Ethics and (or in the alternative) Principle I of the

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First Edition of the College's Standards of Practice (commented on in Interpretations 1.5 and 1.6) by failing to regard the well-being of the Member's Client as the Member's primary professional obligation when the Member established and pursued a personal relationship with the Client and, on one occasion engaged in touching of a sexual nature and behaviour of a sexual nature towards the Client. In doing so the Member failed to distinguish the Member's own needs from those of the Client, failed to appreciate how the Member's needs might impact on the Member's professional relationship with the Client, placed the Member's own needs before those of the Client and failed to ensure that the Client's interests were paramount.

3. That the Member violated Principle II (Interpretation 2.2) of the First Edition of the College's Standards of Practice (commented on in Interpretations 2.2.1, 2.2.2, 2.2.3 and 2.2.8) by failing to maintain clear and appropriate boundaries in the Member's professional relationship with the Client when the Member established a personal relationship with the Client, to whom the Member provided counselling services and/or psychotherapy services and on one occasion engaged in touching of a sexual nature and behaviour of a sexual nature towards the Client. In doing so, the Member placed themselves in a conflict of interest situation in which the Member ought reasonably to have known that the Client would be at risk and (or in the alternative) the Member used the Member's professional position of authority to abuse or exploit the Client.
4. That the Member violated Principle III (as commented upon in Interpretations 3.7 and 3.8) and Principle II (as commented upon in Interpretation 2.1.5) of the First Edition of the College's Standards of Practice, by failing to ensure that professional services were provided responsibly to the Client, and by failing to maintain competence and integrity in the Member's practice when the Member established a personal relationship with the Client to whom the Member provided counselling services and/or psychotherapy services and, on one occasion, engaged in touching of a sexual nature and behaviour of a sexual nature towards the Client. In doing so, the Member:
 - (a) was in a conflict of interest situation and/or the Member established a dual relationship with the Client which may have impaired the Member's professional judgement or increased the risk of exploitation or harm to the Client, and
 - (b) failed to appropriately seek consultation and evaluate whether the dual relationship with the Client might impair the Member's professional judgement or increase the risk of exploitation or harm to the Client.
5. That the Member violated Section 2.2 of the Professional Misconduct Regulation and Principle II of the First Edition of the College's Standards of Practice (commented on in Interpretations 2.2, 2.2.3 and 2.2.4) by using information obtained during the Member's professional relationship with the Client, and the Member's professional position of authority to:
 - (i) establish a personal relationship with the Client;
 - (ii) coerce or improperly influence the Client in the Client's communications with the Member's former employer and the College regarding the Member's professional misconduct; and
 - (iii) discredit the Client in respect of those communications with the Member's former employer and the College for the Member's own advantage, namely: to protect the Member from employment or professional consequences which might ensue from those communications.
6. That the Member violated Section 2.36 of the Professional Misconduct Regulation by engaging in conduct or performing an act relevant to the practice of the profession that, having regard to all the circumstances, would reasonably be regarded by members as disgraceful, dishonourable or unprofessional when the Member:
 - (i) established a personal relationship with the Client, to whom the Member provided counselling services and/or psychotherapy services and, on one occasion, engaged in touching of a sexual nature and behaviour of a sexual nature towards the Client; and/or
 - (ii) used information obtained during the Member's professional relationship with the Client, and the

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Member's professional position of authority to coerce or improperly influence the Client in the Member's communications with the Member's former employer and the College regarding the Member's professional misconduct, to discredit the Client in respect of those communications and to induce the Client to change or withdraw the Client's allegations concerning the Member's conduct.

PENALTY ORDER

The panel of the Discipline Committee accepted the Joint Submission as to Penalty submitted by counsel for the College and counsel for the Member, and in doing so, made an order in accordance with the terms of the Joint Submission as to Penalty. The panel concluded that the proposed penalty order is reasonable, serves and protects the public interest, meets the objectives of general and specific deterrence, and will remediate/rehabilitate the Member. The panel noted that the Member co-operated with the College, agreed to the facts and the proposed penalty, and accepted responsibility for the Member's actions. The panel ordered that:

1. the Member be reprimanded and the reprimand be recorded on the Register.
2. the Registrar suspend the Member's Certificate of Registration for a period of 24 months, which suspension shall be suspended and not be imposed if the Member provides evidence, satisfactory to the Registrar, of compliance with the terms and conditions imposed on the Member's certificate of registration pursuant to paragraph 3 below.
3. that the Registrar impose a term, condition and limitation on the Member's Certificate of Registration, to be recorded on the Register,
 - (a) requiring the Member to restrict the Member's professional practice to the Member's current employment and to the Member's existing private practice (the particulars of which have been provided to the Registrar) for a period of two (2) years from the date of the Discipline Committee's Order and not to change the Member's employment or professional practice during that period, except with the approval of the Registrar. The Member shall immediately notify the Registrar, in writing, of any termination of, or proposed change in the Member's current employment or professional practice and shall advise the Registrar, in advance, of the nature and particulars of any future professional employment or practice in which the Member proposes to engage within the said two (2) year period, for the purpose of obtaining the Registrar's prior approval or such other employment or professional practice.
 - (b) requiring the Member to, at the Member's own expense, engage in intensive insight oriented psychotherapy with a therapist who is a regulated professional approved by the Registrar of the College (and who has been provided with a copy of the Discipline Committee's Order) for a period of two (2) years from the date of the Order, with quarterly written reports as to the substance of the psychotherapy and the progress of the Member to be provided to the Registrar by the therapist.
 - (c) requiring the Member to, at the Member's own expense, participate in and successfully complete boundary prescriptive and/or social work ethics training, as prescribed by and acceptable to the College and provide proof of such completion to the Registrar within two (2) years from the date of the Order.
 - (d) requiring the Member to receive supervision of the Member's social work practice for a period of two (2) years from the date of the Discipline Committee's Order from a named registered professional (in respect of the Member's current employment) and from the therapist approved under subparagraph 3(b) (in respect of the Member's private practice), or from such other person or persons as may be approved, in advance, by the Registrar. The Member must forthwith provide each supervisor with a copy of the Discipline Committee's Order and each supervisor shall make quarterly written reports to the Registrar (or reports at such lesser frequency as the Registrar may from time to time determine) as to the substance of that supervision and the progress of the Member; and

Discipline Decision Summaries

- (e) prohibiting the Member from applying under Section 29 of the *Social Work and Social Service Work Act* for the removal or modification of the terms, conditions or limitations imposed on the Member's Certificate of Registration for a period of two (2) years from the date on which those terms, conditions and limitations are recorded on the Register.
- 4. that the Discipline Committee's finding and Order (or a summary thereof) be published, with identifying information removed, in the College's official publication and on the College's website and the results of the hearing be recorded on the Register.
- v. acted as the Client's real estate agent in pricing, listing and selling the Client's house and received a commission on the sale;
- vi. attempted to conceal the Member's activities as the Client's real estate agent from her employer;
- vii. recommended a number of apartments to the Client, including a subsidized facility that lacks the support and assistance the Client requires;
- viii. arranged for the Member's spouse to do work in the Client's apartment;
- ix. terminated the Client's individual counselling with the Member upon completion of the sale of the Client's home, without securing alternative counselling for the Client or assessing the Client's need for continued counselling, and without previously advising the Client that the Member could not continue to act as the Client's counsellor if the Member acted as the Client's real estate agent in selling the Client's home;
- x. after learning of the complaint to the College concerning these events, the Member named the Client as a Defendant in a wrongful dismissal action commenced against the Member's former employer, alleging that the Client conspired with others to terminate the Member's employment, intentionally interfered with the Member's economic relations with the Member's employer and induced the Member's employer to breach its contract with the Member.

PERMISSION TO RESIGN

Member, RSW

Allegations of professional misconduct against the Member were referred to the Discipline Committee. As explained below, those allegations have not been disposed of by the Discipline Committee and the hearing regarding the allegations was adjourned.

The Notice of Hearing alleged that for a period of approximately 22 months, the Member provided individual and group counselling services to an elderly client. The focus of the counselling was to address psychological and emotional issues arising from the Client's diagnosis and treatment for cancer, the death of the Client's close relatives and friends, and the Client's relationship with the Client's adult child.

It was alleged that during the period that the Member provided counselling services to the Client, the Member:

- i. engaged in boundary violations (not involving sexual abuse of the Client);
- ii. failed to maintain appropriate records which reflected the social work services provided to the Client;
- iii. encouraged the Client to sell the Client's home and move into an apartment at a time when the Member knew the Client to be elderly, vulnerable and in ill health;
- iv. told the Client the Member was a real estate agent and offered to sell the Client's home;

DECISION

The Member entered into an Agreement and Undertaking with the College, under which the Member agreed to resign from the College and undertook not to reapply for a certificate of registration. The College and the Member agreed to seek an adjournment of the Member's discipline hearing. The panel of the Discipline Committee accepted the joint request for an adjournment, on the terms contained in the Member's Agreement and Undertaking, which were as follows:

- A. That the Member shall forthwith resign from membership in the College by filing a resignation in writing with the Registrar and when the Member does so, the Member's Certificate of Registration shall be cancelled and that cancellation shall be recorded on the

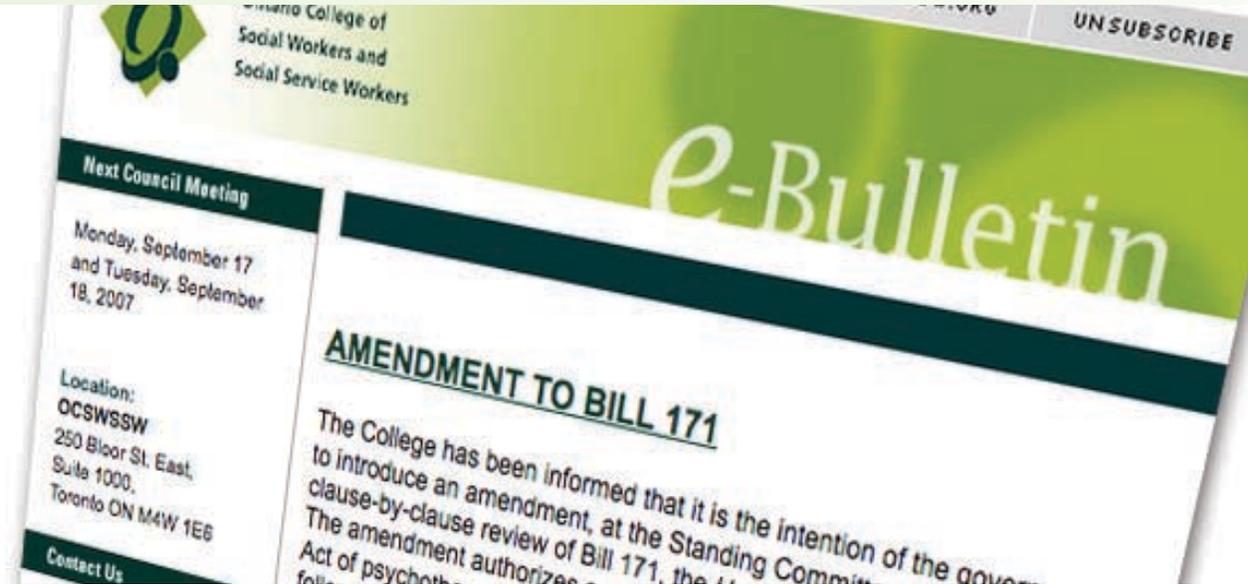
Discipline Decision Summaries

Register, together with all of the information directed by the Discipline Committee pursuant to paragraph B of the Undertaking;

- B. That the Registrar will record the following information on the Register:
- i. The fact that the Member was permitted to resign from membership while proceedings before the Discipline Committee were pending; and
 - ii. The fact that those pending proceedings before the Discipline Committee related to allegations which have not been disposed of by the Discipline Committee that the Member:
 - a) Engaged in boundary violations in respect of a vulnerable Client (not involving sexual abuse of the Client);
 - b) Placed themselves in a conflict of interest situation which could impair the Member's professional judgement and increase risk of exploitation to the Client;
 - c) Provided a professional service to the Client while the Member was in a conflict of interest;
 - d) Used the Member's position of authority to coerce, improperly influence, harass or exploit a Client or former Client (including pressuring the Client) to withdraw the Client's allegations against the Member and/or refusing to cooperate in the College's complaints and discipline process);
 - e) Placed the Member's own needs before those of the Member's Client; and
 - f) Discontinued professional social work services to the Client where the Client had neither requested the discontinuation nor withdrawn from service and without making reasonable efforts to arrange alternative or replacement services or giving the Client a reasonable opportunity to do so.

- C. The proceedings and hearing with respect to the allegations set out in the Notice of Hearing shall be adjourned. The proceedings may be brought back on by the College, on 30 days notice to the Member, if further allegations against the Member are referred to the Discipline Committee in the future or if the Member, in the opinion of the Registrar, fails to fulfil any provision of this Agreement and Undertaking, or contravenes s.46 of the *Social Work and Social Service Work Act, 1998*.
- D. The Member undertakes not to reapply to the College for a Certificate of Registration after the Member's resignation from membership in the College. The Member further agrees that if the Member reapplies to the College for a Certificate of Registration, in contravention of the Agreement and Undertaking, all of the materials in the College's files pertaining to the allegations set out in the Notice of Hearing as filed, shall be brought to the attention of the Registrar and may be considered by the Registrar (and in the event of an appeal, by the Registration Appeals Committee) in dealing with the Member's application for a Certificate of Registration.
- E. A summary of the allegations against the Member and of the Agreement and Undertaking shall be published, except with identifying information removed in the College's official publication and on the College's website. Any such publication shall be in addition to the publication of information on the College's Register in accordance with paragraph B of the Agreement and Undertaking.

OCSWSSW'S Environmental Initiatives



The College has begun looking at ways in which to reduce the amount of paper it uses in its publications and communications with members. Over the past two years, eBulletin has become an important vehicle for the College to communicate with members in a timely manner between issues of the newsletter. Since mid-2006, 22 eBulletins have been distributed and have been extremely well received by the membership. To date, more than 7,600 members have signed up to receive emails from the College. If you have not already signed up and wish to begin receiving the eBulletin, you may sign up from the College's website at www.ocswssw.org.

Along with utilizing the eBulletin, we have significantly reduced the amount of paper used at our Annual Meeting and Education Day. Beginning in 2008, all evaluation forms were available online as opposed to hard copies in the delegate packages. Additionally, no delegate lists, certificates of attendance, or annual reports were included in the packages this year. With more than 500 delegates attending the event, this was a huge generator of paper that has now been significantly reduced.

Currently in the preliminary stages, work has also begun on implementing several online programs, including register checks and annual renewals. These projects are time-consuming and require significant changes to the College's membership database. We are hoping to implement these changes in 2009 and are committed to making processes easier for members and employers.

Website changes are also in the works which will allow prospective members to download application forms rather than having the College send out a hard copy to the applicant. This will significantly decrease mailing costs incurred by the College. However, for those who do not have access to the internet, hard copies will still be available.

Although reducing the amount of paper we generate is an important first step, it is not possible to completely eliminate printed information. We are, however, looking at the types of paper we are using and are ensuring they are environmentally friendly. For example, the paper stock used for the 2007 Annual Report is certified by the Forest Stewardship Council and contains 10% post-consumer fibre content. Moving forward, we will make every effort to ensure that all our printed materials are made from environmentally-responsible paper.

The College recognizes that more work needs to be done with these initiatives, however, we are committed to being more environmentally responsible and cost-effective with our operations and communications initiatives. We will keep members updated on these projects in future issues of *Perspective* and via eBulletin.

If you have any questions or comments, please contact Yvonne Armstrong, Communications Coordinator at 416-972-9882 or 1-877-828-9380, ext. 220 or e-mail yarmstrong@ocswssw.org.

HPRAC Consultation on Interprofessional Collaboration

PAMELA BLAKE M.S.W., RSW, DEPUTY REGISTRAR

BACKGROUND INFORMATION

In June 2007 the Minister of Health and Long-Term Care asked HPRAC (the Health Professions Regulatory Advisory Council) to “recommend mechanisms to facilitate and support interprofessional collaboration between health Colleges beginning with the development of standards of practice and professional practice guidelines where regulated health professions share the same or similar controlled acts, acknowledging that individual health Colleges independently govern their professions and establish the competencies for their profession”.

The Minister also asked that HPRAC “take into account, when controlled acts are shared, of public expectations for high quality services no matter which health profession is responsible for delivering care or treatment”.

When a referral is received from the Minister, HPRAC determines relevant public interest concerns and questions and attempts to understand all perspectives on an issue including those of key health care practitioners, other affected health care professionals, facilities and institutions, clients and patients, advocates and regulators.

Each issue proceeds through a multi-stage process where information and responses are requested from and shared with all concerned stakeholders.

HPRAC submitted an interim report to the Minister on March 31, 2008. Public release of the report will occur at the Minister’s discretion. Phase 2 of the project began April 1, 2008, and the final report will be submitted to the Minister by January 31, 2009.

THE COLLEGE’S ROLE IN THE CONSULTATION

On the invitation of HPRAC, the College attended a working session in October 2007 to discuss issues and questions pertaining to interprofessional collaboration. HPRAC subsequently issued a Discussion Guide posing relevant questions concerning interprofessional collaboration. The Discussion Guide was issued in February 2008 and the College made its submission by the deadline of May 30, 2008.

The Discussion Guide invited comments about defining

interprofessional collaboration, barriers to and enablers for interprofessional collaboration among regulatory bodies and interprofessional care at the clinical level.

The College applauded HPRAC for not limiting the consultation to the health colleges governed by the *Regulated Health Professions Act* and actively including the OCSWSSW, which is governed by the *Social Work and Social Service Work Act*. To our knowledge, the OCSWSSW is the only regulatory body, not governed by the RHPA, whose members provide health care services. The College estimates that 50% of its members provide services in health care settings. In the spirit of interprofessional collaboration, the College strongly recommended the development of a creative inter-Ministerial mechanism that would ensure its full involvement in initiatives by the Ministry of Health and Long-Term Care that impact the College’s role in regulating its members who provide services in health care settings.

The College has benefited greatly from the experience of the RHPA colleges, who have been very supportive and willing to share resources. While this informal collaboration has been very effective, the College feels it would be premature to establish a common framework for all regulated health professions to address complaints, investigations or disciplinary matters arising in an interprofessional care setting; however, the College does support the means to share information amongst colleges about complaints that appear to involve more than one profession. The College also supports the development of common standards of practice or professional practice guidelines where the same or similar controlled acts are shared. Developing common standards of practice for the controlled act of psychotherapy, for example, could serve as a starting point for enhanced regulatory collaboration.

The College’s submission is available to download at www.ocswssw.org. To view the submissions from other stakeholders, visit the HPRAC website www.hprac.org.

For more information, please contact Pamela Blake, M.S.W., RSW, Deputy Registrar at 416-972-9882 or 1-877-828-9380, ext. 205 or e-mail pblake@ocswssw.org.

Release of Information from the Register for Research Purposes

GLEND A MCDONALD, M.S.W., RSW, REGISTRAR

In 2004, as a result of federal and provincial privacy legislation, Council approved a policy respecting requests for information contained in the Register of the College. The policy approved the release of information from the Register for regulatory purposes (e.g. requests for information contained in the Register pertaining to a single or group of members from members of the public, employers, other regulatory bodies and College members for the purposes of the election of members to the Council of the College). Members may recall that in accordance with the *Social Work and Social Service Work Act, 1998* and By-laws of the College, the Register contains information regarding members that is available to the public. This information includes the name of members, the name of the member's employer, the member's business address and business telephone number and information regarding the status of a member's certificate of registration.

Over the years, the College did receive requests for a copy of the Register or part of the Register. In accordance with the policy, unless the request was for the regulatory purposes of the College, the request was refused. There were, however, two requests approved by the Executive Committee. Both concerned the request for a copy of part of the Register for research purposes. Both requests involved research projects conducted under the auspices of an Ontario University. In both instances, the Executive Committee approved the request because it was determined that the subject matter of the research did have a public interest component and was consistent with the objects of the College (SWSSWA S 3. (2) 9. "To promote high standards and quality assurance with respect to social work and social service work..."). Based on these two requests, it was recommended that the process for such requests be made more transparent and be a consent based process.

At its May 2008 meeting, Council approved an addendum to this policy allowing the release of some information from the Register for research purposes, with the consent of the members to whom the information relates. According to the policy, the research project must relate to social work and/ or social service work and/ or the mandate of the College. The research must have received approval by an ethics board

or committee and must be conducted under the auspices of an employer, an accredited university or other organization satisfactory to the Registrar, or have received peer-reviewed research grant/funding. The researcher must also enter into an agreement with the College respecting the use, security, disclosure, return or disposal of the information provided by the College.

This **consent-based process** will be implemented on the 2009 annual renewal of registration form. **Members will be required to specify whether they consent or do not consent to the release of information for research purposes.**

Some or all of the following information that is contained in the Register may be released if a member consents:

- a. the name of the member of the College and the class of certificate of registration the member holds;
- b. the name of the business or employer of the member;
- c. the business address of the member; and
- d. the business telephone number of the member

If a member does not consent to the release of the above information for research purposes, the College is still required to release information contained in the Register for regulatory purposes, such as employer requests, requests from members of the public and from candidates for election to Council.

Members will notice the additional consent on the annual renewal forms that will be mailed to members in the coming weeks. The consent will also be added to registration forms so that new members can choose whether to consent upon registration with the College.

If you have any questions regarding the policy, please e-mail info@ocswssw.org.

Psychotherapy Questionnaire Summary

PAMELA BLAKE M.S.W., RSW, DEPUTY REGISTRAR

Don't forget!

Renewal Reminder

The annual renewal of registration forms will be distributed to all members in the coming weeks.

As mentioned in the previous article regarding the release of information from the Register, there is an additional section on this year's renewal form. Please ensure that you carefully read the policy and indicate whether you consent or do not consent to the release of information from the Register for research purposes. Please keep in mind that if you do not consent, the College is still required to release information contained in the Register for regulatory purposes, such as employer requests, requests from members of the public and from candidates for election to Council. If you have indicated your home address as your business address, your home address will be available to the public.

As always, we remind you that before you seal the envelope with your 2009 renewal form, make sure you have completed, signed and dated the form. The most common reason for returning a member's renewal form is because they forgot to include their signature.

Renewal forms are due at the College no later than December 31, 2008. After January 31, 2009, a penalty of \$50 will apply in addition to the annual membership fee.

In early May, the College distributed an eBulletin asking members who practise psychotherapy to fill out a short questionnaire. Gathering this information was an important first step in learning about members who practise psychotherapy – their education and training, practice areas and how they maintain their skills. Though not exhaustive, this overview will assist the College in determining the criteria for members to practise the controlled act of psychotherapy, identify issues that will require further consideration and identify members affected by the legislation for future consultation.

This summary of the results is based on information provided by 427 members.

Indicate your education:

Members were asked to indicate all education completed. Most respondents had attained more than one degree. Seventy-eight per cent have a Master of Social Work degree (M.S.W.), a further 14% have a masters degree outside social work and over 6% have a doctorate degree. Of the 5% (n = 21) who have a Social Service Work diploma, two thirds also have a B.S.W. or M.S.W. Of the remaining 8, all but 2 have a baccalaureate degree and masters degree not in social work (e.g. Counselling Psychology, Theology) or are in the process of completing an M.S.W.

What education and/or training in addition to your social work or social service work education have you completed to gain the competence to provide psychotherapy?

Typically, members' additional education and training were very extensive and included: completing certificate programs, for example in advanced clinical social work, narrative therapy, assessment and treatment of anxiety disorders or treatment of attachment disorders; completion of two-year internships; completion of numerous one or two-day workshops. Some remarked that it was attendance at many conferences and workshops in *combination with* supervision that gave them competence to practise psychotherapy. Members also identified informal learning with colleagues and learning from clients as being important.

Many commented that a social work or other "clinical" degree alone does not adequately prepare an individual to practise psychotherapy.

How long have you practised psychotherapy following completion of your social work or social service work education?

Thirty-three per cent have practised more than 20 years, 32% between 11 and 20 years, 17% 6 to 10 years and 17% less than 5 years.

Many members indicated that while their practice of psychotherapy is now

Psychotherapy Questionnaire Summary

PAMELA BLAKE M.S.W., RSW, DEPUTY REGISTRAR

limited, they are very involved in teaching, supervising or consulting with staff and students.

In what setting(s) do you practise psychotherapy?

Members were asked to check all that are applicable. Most are self-employed (50%), with 36% practising in a hospital, 29% in a social service organization and 18% in community-based health care. Between 2% and 5% are practising in colleges or universities, schools, criminal justice/corrections, group homes or government.

Briefly describe the modalities of psychotherapy you utilize and any area of specialization.

Not surprisingly, there was a broad range of responses. Approaches mentioned most frequently were: cognitive-behavioural, psychodynamic, narrative, solution-focused, interpersonal therapy, systems/communications, structural, trauma, feminist and psychoanalytic psychotherapy. Members work with individuals, couples, families and groups.

What supervision do/did you receive and what is/ was the professional orientation of your supervisor or supervisors? (e.g. social worker, psychiatrist)

Most respondents receive(d) supervision from social workers, though psychologists and psychiatrists were also frequently mentioned. Many members also engage in peer supervision. Members consistently emphasized the importance of ongoing supervision, whether with a supervisor or peers. Some were concerned about the lack of supervision in their workplace or geographic area, particularly members in rural areas. Others indicated they sought out and paid for their own supervision. Many also discussed the benefits of engaging in their own therapy.

How do you maintain your competence to provide psychotherapy?

Members were asked to indicate the two activities most applicable to them and many questioned why their responses were limited. The College expected that members would

engage in most of these activities at some time or other. We wanted to know which ones were the most helpful and frequently engaged in. These were: conference or workshop attendance (76%) and reading the literature (63%), followed by peer consultation or study group (45%) and individual supervision or consultation (42%).

The College continues to monitor developments in the regulation of psychotherapy as well as work on steps to regulate its members who practise psychotherapy. As information becomes available, members will be informed via eBulletin, the College website and Perspective newsletter. If you have any questions, please contact Pamela Blake, M.S.W., RSW, Deputy Registrar at 416-972-9882 or 1-877-828-9380, ext. 205 or e-mail pblake@ocswssw.org.



Practice Notes: Clients and Client Systems

PAMELA BLAKE M.S.W., RSW, DEPUTY REGISTRAR

The Code of Ethics and Standards of Practice Handbook, Second Edition came into effect on July 1, 2008. The second edition is the product of comprehensive consultation with members and stakeholders. In addition to extensive revisions to ensure the standards of practice remain current, there are new features, among them the Explanatory Note. The Explanatory Note explicitly states that the standards of practice are applicable to the full range of social work and social service work practice – direct and indirect practice and clinical and non-clinical interventions.

Since social work and social service work practice covers a wide spectrum, the definition of “client” in relation to a member of the College, “refers to any person or body that is the recipient of, or has contracted to receive, social work or social service work services from the member, including an individual, couple, group, family, organization, government agency or community that receives (or contracts to receive) direct or indirect social work or social service work services, (as described in the scopes of practice)”¹ In defining the client or client system it is advisable to ask: “To whom do I have an obligation in respect to the services I am providing?”² Though specific issues may differ depending on who the client is, the core principles remain the same, including that regardless of the nature of the services provided, “College members are in a position of power and responsibility to all clients”³.

For example, according to Principle VII, Advertising, College members may advertise their services in a variety of ways. However, there are certain restrictions, including the requirement that the advertisements “do not include any endorsements or testimonials”⁴. This applies whether the service being advertised is individual psychotherapy or, for example, consulting to an organization around team-building. Why is this? Testimonials typically use superlative language and are unsubstantiated claims. They are intended to influence a choice, which may or may not be appropriate for the client’s needs. Because there is a power imbalance between the member and the client, testimonials also have the potential to negatively impact the relationship between

the College member and the client who provides the testimonial and/or put the client at risk.

The core principle that “College members are in a position of power and responsibility to all clients” also informs the standards regarding Principle V, Confidentiality and Principle IV, the Social Work and Social Service Work Record. Obligations to clients extend beyond the termination of services, for example, with respect to maintaining client confidentiality and ensuring that records are retained, stored, preserved and secured in compliance with applicable privacy and other legislation. Other obligations may also exist. Consider the following:

A social worker in private practice is referred a couple for marital therapy. She sees them each individually for a single session and together for eight sessions. Some nine months following the termination of service, the husband contacts the social worker to request a copy of the record. The social worker learns that the couple has separated, and that there are court proceedings regarding custody of the couple’s three young children. The husband plans to use the record in court to demonstrate that his estranged spouse has been an inadequate parent.

The social worker is in a quandary. She is aware that generally speaking a person has a right of access to his or her record. In addition, interpretation 4.3.4 of the standards of practice states: “When the record includes information that pertains to more than one client, and providing access to a record could therefore mean disclosing information about another person, a College member provides access to information that pertains only to the individual who has requested access unless the other person(s) has consented to the disclosure of information about the person”. In this situation, with the exception of one individual session, the therapy was conducted as conjoint sessions and was documented as such, meaning that with respect to the record of the joint sessions, it is not possible to provide access to information that pertains only to the husband. Yet the social worker feels

1. OCSWSSW Code of Ethics and Standards of Practice Handbook, Second Edition, Glossary

2. Ibid, Explanatory Note

3. Ibid, Principle II, Competence and Integrity, Interpretation 2.2

4. Ibid, Principle VII, Interpretation 7.1.4

Practice Notes: Clients and Client Systems

PAMELA BLAKE M.S.W., RSW, DEPUTY REGISTRAR

responsibility to the wife especially when she learns of the intended use of the information. After careful consideration of the competing issues, the social worker decides to obtain consent from both parties and to release the record of the joint sessions to each of them only if both parties provide such consent.

Members are also encouraged to think beyond the individual client especially when it is clear that individuals in a client's life have conflicting views. While these individuals may not themselves be clients, they nevertheless may be key players. Consider the following scenario:

A social worker is approached by the friend of an elderly woman to conduct a capacity assessment regarding admission to a long-term care facility. The friend expressed concern that the woman's capacity to decide where she would live had been unfairly represented and resulted in the woman's daughter moving her from her own apartment to a nursing home. Although the woman had been diagnosed with Alzheimer's disease and had previously been found incapable on a number of occasions, the social worker found her to be capable. The woman provided correct answers to the Mini Mental Status Exam, and was well versed in her diagnosis and medications. She expressed anger that her daughter had imposed the move from her own apartment to a nursing home, which necessitated getting rid of her cats which she found very upsetting. She expressed the wish to return to her own apartment. On the basis of the social worker's evaluation, the woman was released from the nursing home to the care of her friend. Some days later the woman called her daughter, who was vacationing in Florida, confused about where she was living and wondering why her daughter had not visited. Her daughter was understandably angry and upset that she had not been contacted by the social worker to provide input to the assessment, especially in light of the obvious conflict between her mother's friend and herself. She stated that her mother was aware of her diminishing capacities and had consented both to the move and to finding new homes for her cats.

Although the client's daughter does not qualify as a "client" as defined in the standards of practice, in such situations, it would be advisable to consider the client system which is defined as "the client and those in the client's environment who are potentially influential in contributing to a resolution of the client's problems".⁵ It would have been prudent for the social worker to have explored with the client involving her daughter in the assessment process. The daughter's involvement likely would have provided useful information about the apparent conflict between the client's friend and daughter and corroborating information to inform the social worker's assessment. As well, her daughter's awareness of and involvement in the assessment process likely would have been helpful to the client in the aftermath of the assessment, whether or not she was found to be capable. There is no standard of practice or other requirement that compels a social worker to involve a client's family in a capacity assessment. In addition, the social worker would have needed to obtain the client's consent to involve her daughter in the process. Had the client refused this, the social worker then would have needed to determine whether she could competently assess the client's capacity without input from the daughter. Nevertheless, assuming the client was agreeable to involving her daughter, it likely would have led to a better outcome for the client.

In summary, social workers and social service workers are reminded they are in a position of power and responsibility in regard to all clients; that professional obligations exist for each client in situations where there is more than one client; that obligations extend beyond termination of services; and that including key players in the client's environment as part of the client system and with the client's consent, is often helpful.

For more information about the meaning of client and a member's obligations to clients, please refer to the Code of Ethics and Standards of Practice Handbook, Second Edition 2008.

5. The Social Work Dictionary, 4th Edition, Robert L. Barker, NASW Press 1999

New Council and Committee Roster for 2008 - 2009

The following is the listing of Council and committee members subsequent to the election of the Executive Committee and committee appointments which took place at the September 15-16, 2008 Council meeting. Council includes 21 persons representing equally the public, social service workers and social workers. For complete bios of Council members, please visit the College's website www.ocswssw.org.

LISA BARAZZUTTI – PUBLIC MEMBER

Lisa is a lawyer with a general law practice in Timmins, Ontario and primarily practises in the area of family law including child protection law. She is also a board member for the Timmins and District Humane Society, Timmins Family Counselling and for Victim Crisis Assistance and Referral Services. Lisa was appointed to the OCSWSSW Council as a public member in 2001.

RACHEL BIRNBAUM – ELECTED SOCIAL WORKER

Rachel is an Associate Professor at the School of Social Work, King's University College, University of Western Ontario. Her areas of expertise are with children and families undergoing separation and divorce. Rachel was elected President of the College on October 5, 2005 and re-elected on September 19, 2006, September 17, 2007 and September 15, 2008.

MARY CIOTTI – ELECTED SOCIAL WORKER

Mary Ciotti is a social worker at Hamilton Health Sciences in the Digestive Diseases Program. She holds faculty appointments in Psychiatry and Social Work at McMaster University and is a Practicum Instructor at Wilfrid Laurier University. Mary was elected to the OCSWSSW Council in June 2000, and re-elected for a further three-year term in 2003 and 2006.

SUSAN CLARK – PUBLIC MEMBER

Susan retired from the Ontario government after 30 years with the Ministry of the Solicitor General and Correctional Services. She held numerous positions at the senior management level including Deputy Chief Provincial Bailiff; Manager, Inmate Classification and Transfer; and Regional Program Coordinator. Susan was appointed to Council as a public member in 2005.

GREG CLARKE – ELECTED SOCIAL SERVICE WORKER

Over his 23-year career, Greg has worked throughout district

three in various roles including front-line and management. He is currently an Allied Health Professional with the Peterborough Family Health Team and works as a part-time Mental Health Counsellor at Scarborough Hospital. Greg is currently serving a second term as President of the Crisis Workers Society of Ontario. He was elected to Council in May 2008.

GENEVIÈVE CÔTÉ – ELECTED SOCIAL WORKER

Geneviève Côté was elected to the College Council in May 2004 and re-elected in May 2007. She graduated from the Health Social Work program at the University of Ottawa in 1998. Geneviève is currently a social worker at the Ottawa Regional Women's Breast Health Centre.

ROMAN DELICART – ELECTED SOCIAL SERVICE WORKER

Roman Delicart is President/CEO of El Shaddai Outreach Inc., a Clinical Director and Addiction Counsellor at the HEART-BEAT Counselling Center, and a Multi-Lingual Access Worker at Wellington County Social Services in Kitchener. Roman was elected to the OCSWSSW Council in June 2000 and re-elected in 2003 and 2006.

ZITA DEVAN – PUBLIC MEMBER

A retiree from Sir Sandford Fleming College, Zita held positions as a Program Co-ordinator – Employment Counsellor – Life Skill Coach, working with disadvantaged youth, unemployed individuals, social workers and social service workers. Zita joined the OCSWSSW Council as a public member in October 2000.

JACK DONEGANI – ELECTED SOCIAL SERVICE WORKER

Jack is a graduate of the Social Service Worker program at Algonquin College and is currently working towards a certificate in Trauma/Addictions Recovery. He also holds an MBA in Public Administration and is currently employed in the addictions field and in support of those with acquired

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brain injury in Ottawa and Kemptville. He was elected to Council in May 2007.

DANNY GILLARD – ELECTED SOCIAL SERVICE WORKER

Danny Gillard is an honours graduate of the Social Service Worker and Drug and Alcohol Programs at Northern College. Danny offers consulting services for a multi-disciplined Northern Medical Team and is responsible for the development, implementation and maintenance of occupational health and wellness programs, policies and procedures throughout district one. Danny was acclaimed to Council in electoral district one in May 2007.

ANITA GUPTA – PUBLIC MEMBER

Anita is a Fellow of the Chartered Insurance Professionals' Society, a Division of the Insurance Institute of Canada. Her more than 20 years experience in the business and corporate sector has provided her with extensive knowledge of corporate governance. Anita was appointed to Council in 2003.

MICHAEL KOPOT – ELECTED SOCIAL WORKER

Michael is a Counsellor in the Lakehead University Health & Counselling Centre and works on a casual basis with Creighton Youth Services in Thunder Bay at J.J. Kelso (juvenile detention centre). Michael was first elected to sit on Council as a Social Work member in May 2002 and re-elected in May 2004 and 2007.

MUKESH KOWLESSAR – ELECTED SOCIAL SERVICE WORKER

Elected in 2000 to the first elected College Council and re-elected in 2004 and 2007, Mukesh Kowlessar has been in the social service field for over 20 years. Mukesh is a Manager with the City of London, Community Services Department. His current responsibilities include the Family Support Program and the Appeals Unit.

KIMBERLEY LEWIS – ELECTED SOCIAL SERVICE WORKER

Kimberley is a graduate of the Social Service Worker program at Seneca College of Applied Arts and Technology. She has worked as a front-line professional in the social service sector since 1999 and is currently a Mental Health and Justice Worker at the Canadian Mental Health Association, York

Region and South Simcoe. Kimberley was elected to sit on the College Council in May 2008.

NORMAN MACLEOD – PUBLIC MEMBER

Norman William MacLeod is a graduate of the University of Manitoba. He joined Household Financial Corporation and spent 38 years with the company, working in Western Canada and in Toronto as Vice-President, Administration. He has previously served on the boards of Scarborough Grace Hospital, the Ontario Hospital Association (Regional Executive), The Canadian Memorial Chiropractic College and The Psychology Foundation of Canada. Norman was appointed to Council in June 2005.

SUE-ELLEN MERRITT – ELECTED SOCIAL SERVICE WORKER

Sue-Ellen Merritt is an Addictions Counsellor/Case Manager at the New Port Centre, Niagara Health System, in Port Colborne. Sue-Ellen is a representative on the Social Service Worker Advisory Board at Niagara College, and as Chair of their legislation sub-committee, was actively involved in the inclusion of social service workers in the OCSWSSW. Elected to the OCSWSSW Council in June 2000, Sue-Ellen was acclaimed for a further three-year term in 2003 and 2006.

LILY ODDIE – PUBLIC MEMBER

Prior to being a member of the Canada Immigration and Refugee Board, Dr. Lily Oddie served as Executive Director with YWCA of St. Catharines, Manager of Direct Services with the John Howard Society, and Director of the Center for Continuing Education of McMaster University. Dr. Oddie earned her Honours Bachelor of Arts degree in Psychology from Dalhousie University and her Doctorate in Educational Psychology from the University of Alberta. Lily was appointed to Council in September 2008.

JOHN PRETTI – ELECTED SOCIAL WORKER

John is a social worker who works part time as an individual, marital and family therapist at London Interfaith Centre. He is also a Capacity Assessor recognized by the Ministry of the Attorney General. Initially elected to the OCSWSSW Council in June 2000, John was re-elected in May 2002, 2004 and 2007.

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SYLVIA PUSEY – PUBLIC MEMBER

Sylvia Pusey has been an educator employed by the former Toronto Board of Education and the current Toronto District School Board, and worked for many years in a wide range of special education programs serving students with special needs in the primary, junior and intermediate grades before returning to regular education programs. She retired from active teaching in June 1998 and was appointed to Council in June 2005.

BEATRICE TRAUB-WERNER – ELECTED SOCIAL WORKER

Since 1999, Beatrice Traub-Werner has been the President and Director of Education at TAPE Educational Services in Toronto. Upon completion of her M.S.W. at the University of Toronto, Beatrice worked as a clinical social worker before becoming Admissions Coordinator and Adjunct Professor at the Faculty of Social Work, University of Toronto. Beatrice was elected to Council in May 2008.

JOANNE TURNER – ELECTED SOCIAL WORKER

Joanne Turner recently retired as the Director of Social Work and Associate Professor at Renison College at the University of Waterloo. She is currently Professor Emerita and Adjunct Professor at Renison College. She was elected to the OCSWSSW Council in June 2000, and re-elected in 2003 and 2006.

EXECUTIVE COMMITTEE:

Rachel Birnbaum, RSW – *President*
Sue-Ellen Merritt, RSSW – *First Vice-President*
Norman MacLeod, Public Member – *Second Vice-President*
John Pretti, RSW – *4th Executive Member*
Mukesh Kowlessar, RSSW – *5th Executive Member*
Susan Clark, Public Member – *6th Executive Member*

COMPLAINTS COMMITTEE:

Zita Devan, Public Member (**Chair**)
Geneviève Côté, RSW
Jack Donegani, RSSW
Anita Gupta, Public Member
Beth McCarthy, RSW (**Non-Council**)
Sue-Ellen Merritt, RSSW

REGISTRATION APPEALS COMMITTEE:

Mary Ciotti, RSW (**Chair**)
Lisa Barazzutti, Public Member
Susan Clark, Public Member
Gary Cockman, RSSW (**Non-Council**)
Kim Lewis, RSSW
John Pretti, RSW

DISCIPLINE COMMITTEE:

Lisa Barazzutti, Public Member (**Chair**)
Greg Clarke, RSSW
Roman Delicart, RSSW
Paula Klein, RSW (**Non-Council**)
Michael Kopot, RSW
Kim Lewis, RSSW
Lily Oddie, Public Member
Sylvia Pusey, Public Member
Beatrice Traub-Werner, RSW

New Council and Committee Roster for 2008 - 2009

FITNESS TO PRACTISE COMMITTEE:

Lisa Barazzutti, Public Member **(Chair)**
Greg Clarke, RSSW
Roman Delicart, RSSW
Michael Kopot, RSW
Paula Klein, RSW **(Non-Council)**
Kim Lewis, RSSW
Lily Oddie, Public Member
Sylvia Pusey, Public Member
Beatrice Traub-Werner, RSW

STANDARDS OF PRACTICE COMMITTEE:

Geneviève Côté, RSW **(Chair)**
Linda Chodos, RSW **(Non-Council)**
Danny Gillard, RSSW
Kenneth Gordon, RSW **(Non-Council)**
Suzanne Hainer, RSSW **(Non-Council)**
Shelley Hale, RSSW **(Non-Council)**
John Newman, RSSW **(Non-Council)**
Lily Oddie, Public Member
Sylvia Pusey, Public Member
Joanne Turner, RSW

NOMINATING COMMITTEE:

Michael Kopot, RSW **(Chair)**
Rachel Birnbaum, RSW
Roman Delicart, RSSW
Mukesh Kowlessar, RSSW
Norman MacLeod, Public Member
Sylvia Pusey, Public Member

ELECTION COMMITTEE:

Jack Donegani, RSSW **(Chair)**
Greg Clarke, RSSW
Zita Devan, Public Member
Michael Kopot, RSW
Beatrice Traub-Werner, RSW

CORPORATIONS COMMITTEE:

Rachel Birnbaum, RSW **(Chair)**
Danny Gillard, RSSW
Lily Oddie, Public Member

FINANCE COMMITTEE:

Joanne Turner, RSW **(Chair)**
Jack Donegani, RSSW
Anita Gupta, Public Member
Mukesh Kowlessar, RSSW
Norman MacLeod, Public Member
Glenn Thompson, RSW **(Non-Council)**

GOVERNANCE COMMITTEE:

Sue-Ellen Merritt, RSSW **(Chair)**
Mary Ciotti, RSW
Susan Clark, Public Member
Geneviève Côté, RSW
Zita Devan, Public Member
Danny Gillard, RSSW

Q & A



Q & A is a feature appearing in *Perspective* that answers members' questions on various topics relating to the College and the practice of social work and social service work. If you have any questions you would like answered, please send them via e-mail to Yvonne Armstrong, Communications Coordinator at yarmstrong@ocswssw.org. Although not all questions will be published in subsequent issues of *Perspective*, all will be answered.

Q: In the last issue of *Perspective*, there was an article regarding the College's application to become a member of the Association of Social Work Boards (ASWB). Has this membership been approved?

A: Yes, the College's membership in ASWB was approved at the organization's May 2008 board meeting. ASWB is the North American association whose mission is to support social work regulatory bodies both in Canada and the United States. The Association's goal is to enhance the public and professional understanding of the value, competency, and accountability of regulated social workers. The ASWB is the only North American organization that brings the social work regulatory bodies under a common umbrella. With the approval of Ontario's membership, all Canadian provinces, except Newfoundland and Labrador, now belong to the association. However, Newfoundland and Labrador has submitted an application for membership in ASWB.

Q: My client asked me to sign her passport application. Can I do that?

A: From time to time, members are asked to serve as a guarantor for a passport application. In the past, certain professionals – e.g. dentist, medical doctor, optometrist – were entitled to serve as guarantors. Social workers and social service workers were not on this list of professionals

Passport Canada's criteria for guarantors have changed and no longer require a guarantor to be a member of a prescribed profession. Social workers and social service workers may therefore be approached to act as a guarantor or a reference

for a passport application. Members are encouraged to review the requirements for guarantors and references to ensure they can fulfill the requirements. Members are also reminded that they are obliged to practise in accordance with the Code of Ethics and Standards of Practice, Second Edition. Principle IV, The Social Work and Social Service Work Record. Interpretation 4.1.2 is relevant to such cases: "College members do not make a statement in the record, or in reports based on the record, or issue or sign a certificate; report or other document in the course of practising either profession that the member knows or ought reasonably to know is false, misleading, inaccurate or otherwise improper."

Detailed requirements for guarantors and references can be found on Passport Canada's website at www.ppt.gc.ca.

Bulletin Board

CHANGE OF INFORMATION NOTIFICATION

If you change employers or move, please advise the College in writing within 30 days. The College is required to have the current business address of its members available to the public. Notification of change of address can be done through the website at www.ocswssw.org, emailed to info@ocswssw.org, faxed to 416-972-1512 or mailed to the College office address. In addition to providing your new address, please also provide your old address and College registration number. If you change your name, please advise the College of both your former name(s) and your new name(s) in writing and include a copy of the change of name certificate or marriage certificate for our records. The information may be sent by fax to 416-972-1512 or by mail to the College office address.

PARTICIPATION IN THE WORK OF THE COLLEGE

If you are interested in volunteering for one of the College's committees or task groups, please e-mail Trudy Langas at tlangas@ocswssw.org to receive an application form.

The College welcomes all applications, however, the number of available positions for non-Council members is limited by the statutory committee requirements in the *Social Work and Social Service Work Act* as well as the by-laws and policies of the College.

COUNCIL MEETINGS

College Council meetings are open to the public and are held at the College office in Toronto. Visitors attend as observers only. Seating at Council meetings is limited. To reserve a seat, please fax your request to the College at 416-972-1512 or e-mail Trudy Langas at tlangas@ocswssw.org. Please visit the College's website for the dates and times of upcoming meetings.





**Ontario College of
Social Workers and
Social Service Workers**

Mission Statement:

The Ontario College of Social Workers and Social Service Workers protects the interest of the public by regulating the practice of Social Workers and Social Service Workers and promoting excellence in practice.

Vision Statement:

The Ontario College of Social Workers and Social Service Workers strives for organizational excellence in its mandate in order to:
Serve the public interest;
regulate its members; and be accountable and accessible to the community.

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HOW TO REACH US:

The College is open Monday to Friday from 9 a.m. to 5 p.m.

250 Bloor Street East
Suite 1000
Toronto, Ontario M4W 1E6

Telephone: 416-972-9882
Toll-Free: 1-877-828-9380
Fax: 416-972-1512
Email: info@ocswssw.org
www.ocswssw.org

WHO TO CONTACT AT THE COLLEGE:

OFFICE OF THE REGISTRAR

Glenda McDonald
Registrar
Ext. 200 or e-mail:
registrar@ocswssw.org

Pamela Blake
Deputy Registrar
Ext. 205 or e-mail:
pblake@ocswssw.org

Trudy Langas
Executive Assistant
Ext. 219 or e-mail:
tlangas@ocswssw.org

Pat Lieberman
Manager, Council & Employee Relations
Ext. 207 or e-mail:
plieberman@ocswssw.org

Contact Pat for Council information.

REGISTRATION

Mindy Coplevitch
Director
Ext. 203 or e-mail:
mcoplevitch@ocswssw.org

Susanne Pacheco
Registration Coordinator
Ext. 213 or e-mail:
spacheco@ocswssw.org

Emma Sevdina
Registration Administrator
Ext. 204 or e-mail:
esevdina@ocswssw.org

Elaine Hall
Registration Administrator
Ext. 214 or e-mail:
ehall@ocswssw.org

Contact Mindy, Susanne, Emma or Elaine when inquiring about the registration process.

Frances Ma
Registration Assistant

Angella Rose
Registration Assistant

For general registration inquiries, please e-mail:
registration@ocswssw.org

MEMBERSHIP/ADMINISTRATION

Lynda Belouin
Office Manager (bilingual)
Ext. 212 or e-mail:
lblouin@ocswssw.org

Anne Vezina
Membership Administrator (bilingual)
Ext. 211 or e-mail:
avezina@ocswssw.org

Catherine Painter
Information Assistant

Nadira Singh
Information Assistant

Contact Lynda, Anne, Catherine or Nadira for general information, status of application inquiries, register requests, as well as fees information and address changes. For general inquiries, please e-mail: info@ocswssw.org

Contact Lynda for information and inquiries about professional incorporation.

COMPLAINTS & DISCIPLINE

Marlene Zagdanski
Director
Ext. 208 or e-mail:
mzagdanski@ocswssw.org

Lisa Loiselle
Case Manager/Investigator
Ext. 221 or e-mail:
lloiselle@ocswssw.org

Anastasia Kokolakis
Senior Administrative Assistant
Ext. 210 or e-mail:
akokolakis@ocswssw.org

Contact Marlene, Lisa or Anastasia for information on complaints, discipline and mandatory reporting.

FINANCE

Eva Yueh
Financial Administrator
Ext. 209 or e-mail:
eyueh@ocswssw.org

COMMUNICATIONS

Yvonne Armstrong
Communications Coordinator
Ext. 220 or e-mail:
yarmstrong@ocswssw.org

Contact Yvonne regarding the College's website, newsletter, Annual Report and other publications.

PROFESSIONAL PRACTICE AND EDUCATION

Nancy Martin
Professional Practice Associate
Ext. 225 or e-mail:
nmartin@ocswssw.org

Contact Nancy with professional practice questions.

INFORMATION TECHNOLOGY

Cristian Sandu
IT Support Specialist
Ext. 115 or e-mail:
csandu@ocswssw.org

REMINDER:

If you change employers or move, advise the College in writing within 30 days. We are required to have the current business address of our members available to the public. Address change information can be e-mailed to info@ocswssw.org, faxed to 416-972-1512 or mailed to our office address. Changes of address must be made in writing and include your registration reference number, your old address and your new address information.