



Discipline Decision Summary

This summary of the Discipline Committee's Decision and Reasons for Decisions is published pursuant to the Discipline Committee's oral decision rendered on July 24, 2015 and written reasons dated November 10, 2015.

By publishing this summary, 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.

PROFESSIONAL MISCONDUCT

Emily Beeckmans, RSW

Member # 527581

Agreed Statement of Fact

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

1. Emily Beeckmans ("**Ms. Beeckmans**" or the "**Member**") graduated with a Master of Social Work degree from the University of Toronto in 1998 and was registered with the Ontario College of Social Workers and Social Service Workers (the "**College**") in November of 2000.
2. Between July 4th, 2011, and July 23, 2013, Ms. Beeckmans was employed by [*place of employment*] as an Employee Assistance Counselor where she provided short term counseling service. [*Place of employment*] is Canada's largest provider of Employee and Family Assistance Programs.
3. Ms. Beeckmans was away from her private practice employment for cancer surgery from November 2011 until mid January 2012. She returned to work while undergoing chemotherapy.
4. On February 2nd, 2012, Ms. Beeckmans conducted an intake meeting with a client who was referred to her for counseling services by [*place of employment*]. Prior to the first session, the client filled out an intake questionnaire. Part of the intake questionnaire was the Major Depression Inventory ("**MDI**"), a self-report mood questionnaire, which Ms. Beeckmans reviewed with the client and which indicated that he had "severe depression symptoms". Ms. Beeckmans additionally set goals

and identified actions to support those goals with the client, under headings “Goal(s)”, “Intervention / Actions to support goal(s)” and “Next steps / homework”.

5. After the initial meeting with the client, Ms. Beeckmans consulted a social work colleague due to concerns that she had of a potential conflict of interest. In the event that this matter proceeded to a contested hearing, Ms. Beeckmans would have taken the position that the conflict of interest was that she felt that she could personally identify with some of the experiences and issues that the client had identified in the initial meeting. They also knew some people in common. The College disputes Ms. Beeckmans’ position and would have taken the position that Ms. Beeckmans was concerned about a mutual attraction that she felt between herself and the client. She was directed to explore in her second session if the conflict existed and, if she concluded that it did, she was advised that she should transfer the client’s file.
6. Ms. Beeckmans met with the client a second time on February 21st, 2012. During this second meeting, Ms. Beeckmans identified that a conflict of interest did, in fact, exist. She ended the meeting and explained to the client that she would need to transfer him to another counsellor due to the conflict of interest.
7. Ms. Beeckmans subsequently contacted the [*place of employment*] call centre to transfer the file, explaining that she had a conflict of interest. She was directed to contact the client herself and inform him to call into the call centre to set up an appointment with a new counselor.
8. On February 23, 2012, Ms. Beeckmans called the client to provide him with the name of his new counselor. During the call, Ms. Beeckmans reviewed the conflict of interest with the former client and apologized for the inconvenience.
9. During the February 23, 2012 phone call, the former client additionally asked Ms. Beeckmans out for a coffee and to have social contact. Ms. Beeckmans redirected the client, respectfully explaining to him that for her to accept his invitation would be inappropriate by virtue of their professional relationship. Notwithstanding, she told the former client that she would consider his request and they exchanged their private cell phone numbers.
10. A few weeks later, Ms. Beeckmans texted the former client after seeing an article about him in a local newspaper. The former client called her. At his request, Ms. Beeckmans agreed to a private social meeting with the former client in late March 2012. The meeting occurred in Ms. Beeckmans’ office in order that the parties would have privacy. Ms. Beeckmans subsequently began to go on dates with the former client and engaged in a consensual romantic and intimate relationship involving sexual contact.
11. The former client’s girlfriend subsequently disclosed Ms. Beeckmans’ romantic and intimate relationship with the client to her own telephonic counselor on July 9, 2013. That counsellor, in turn, contacted his Regional Clinical Manager at [*place of employment*]. During the course of the internal investigation conducted by [*place of*

employment], Ms. Beeckmans disclosed the personal relationship with her former client to her Regional Clinical Manager on July 11, 2013.

12. Ms. Beeckmans' employment with [*place of employment*] was terminated on July 23, 2013.

Decision

The Discipline Committee accepted the Member's Plea and the Agreed Statement of Fact and found that the agreed facts support a finding that the Member committed acts of professional misconduct, and in particular, that the Member:

1. violated section 2.2 of the Professional Misconduct Regulation and Principle VIII of the Handbook (as commented on in Interpretations 8.1, 8.2, 8.3 and 8.7) by engaging in behaviour of a sexual nature with a client or former client when she established a personal and sexual relationship with the former client to whom she provided counseling services.
2. violated section 2.2 of the Professional Misconduct Regulation and Principle I of the Handbook (commented on in Interpretations 1.5, 1.6 and 1.7) by failing to be aware of her own values, attitudes and needs and how those impact on her professional relationships with clients; failing to distinguish her needs and interests from those of her client; failing to ensure that her client's needs and interests remain paramount and failing to maintain an awareness and consideration of the purposes, mandate and function of her employer when she established a personal and sexual relationship with a former client to whom she had provided counseling services.
3. violated Section 2.6 of the Professional Misconduct Regulation by using information obtained during her professional relationship with the client to coerce, improperly influence, harass or exploit the client when she established a personal and sexual relationship with the client to whom she provided counseling services.
4. violated section 2.2 of the Professional Misconduct Regulation and Principle II (2.2) of the Handbook (commented on in Interpretations 2.1.5, 2.2.1 and 2.2.2) by failing to maintain clear and appropriate boundaries in her professional relationship when she established a personal and sexual relationship with a former client to whom she provided social work services. In doing so, she placed herself in a situation involving a conflict of interest in which she ought reasonably to have known that the client would be at risk and used her professional position of authority to exploit the client.
5. 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 she pursued and established a personal and sexual relationship with a former client to whom she provided counseling services.

Penalty Order

The panel of the Discipline Committee accepted the Joint Submission as to Penalty submitted by the College and the Member and made an order in accordance with the terms of the Joint Submission as to Penalty. The Discipline Committee ordered that:

1. The Member shall be reprimanded by teleconference by the Discipline Committee and the fact and nature of the reprimand shall be recorded on the College's Register.
2. The Registrar shall be directed to suspend the Member's Certificate of Registration for a period of twenty-four (24) months, the first two (2) months of which shall be served commencing on the date of the Discipline Committee's Order herein. Upon completion of those first two (2) months of the suspension, the remaining twenty-two (22) months of the suspension shall be suspended for a period of two (2) years, commencing on the date of the Discipline Committee's Order herein. The remaining twenty-two (22) months of the suspension shall be remitted on the expiry of that two year period if (on or before the second anniversary of the Discipline Committee's Order herein) the Member provides evidence, satisfactory to the Registrar of the College, of compliance with the terms and conditions imposed under paragraph 3 below. If the Member fails to comply with those terms and conditions, the Member shall serve the remaining twenty-two (22) months of the suspension, commencing two (2) years from the date of the Discipline Committee's Order. For greater clarity, the terms and conditions imposed under paragraph 3 below will be binding on the Member regardless of the length of suspension served and the Member may not elect to serve the full suspension in place of performing those terms and conditions. If the Member fails to comply with the terms and conditions, the Registrar may refer the matter to the Executive Committee of the College. The Executive Committee, pursuant to its authority, may take such action as it deems appropriate, which may include referring to the Discipline Committee allegations of professional misconduct arising from any failure to comply with the terms and conditions.
3. The Registrar shall be directed to impose a term, condition and limitation on the Member's Certificate of Registration, to be recorded on the Register, requiring the Member to:
 - (a) at her own expense, participate in and successfully complete a boundaries and ethics training course, as prescribed by and acceptable to the College, and provide proof of such completion to the Registrar within six (6) months from the date of the Order;
 - (b) at her own expense, engage in insight oriented psychotherapy as directed by a therapist, approved by the Registrar of the College, for a period of two (2) years from the date of the Discipline Committee's Order, with semi-annual written reports as to the substance of the psychotherapy and the progress of the Member to be provided to the College by the therapist. The Member must additionally provide to the approved therapist the Notice of Hearing as well as the

final decision of the Discipline Committee and must provide written confirmation, signed by the therapist, of receipt of the documents to the Registrar within 15 days of the rendering of the final decision. The Registrar may, if satisfied that the purpose of the therapy has been accomplished, at any time before the expiry of the two year period, direct that the psychotherapy be discontinued.

(c) at her own expense, receive supervision of her private social work practice with an approved member of a Regulated Health Profession for a period of two (2) years from the date of the Discipline Committee Order. The Member must additionally provide to the approved therapist (and any other approved supervisor pursuant to section (c) or (d) of this Joint Submission as to Penalty) the Notice of Hearing as well as the final decision of the Discipline Committee and must provide written confirmation, signed by the supervisor, of receipt of the documents to the Registrar within 15 days of the rendering of the final decision (and within 15 days of the approval of any subsequent supervisor). The Member must seek consent from prospective clients to share personal health information with her supervisor in order to allow the supervisor to review client files and engage in review.

(d) in the event that the Member obtains future employment engaging in activities that fall within the social work scope of practice during the two (2) years following the date of the Discipline Committee Order:

(i) the Member shall forthwith advise the Registrar of the name and address of her employer, the position in which she will be working and the start date;

(ii) the Member shall forthwith advise the Registrar of the name of the person who will be providing supervision of her social work practice within her place of employment;

(iii) the Member shall receive supervision of her social work practice within her place of employment, from the supervisor identified to the Registrar, for a period of 2 years from the date of the Discipline Committee Order;

(iv) if the Member's employment ends, or the Member changes employers and/or supervisors, she shall forthwith advise the Registrar of the termination of or change in her employment and/or the name of her new supervisor;

(v) Forthwith upon completion of the supervision referred to above, in subparagraphs 3(d)(i)-(iv), the Member shall provide to the Registrar written confirmation from her supervisor(s) of such completion.

4. The Discipline Committee's finding and Order (or a summary thereof) shall be published, with identifying information concerning the Member included, in the College's official publication and on the College's website, and the results of the hearing shall be recorded on the Register.

5. The Member shall pay costs to the College in the amount of \$1,500 to be paid in increments of \$300 every three months, beginning three months from the date of the Discipline Committee hearing provided that this joint submission as to penalty is accepted by the Discipline Committee in its entirety.

The Discipline Committee concluded that:

- The joint penalty proposed was reasonable, maintains high professional standards, and serves and protects the public interest.
- The panel considered the aggravating and mitigating circumstances submitted by both counsel. In addition, the panel considered the fact that the member has co-operated with the College, has agreed to the facts and a proposed penalty, has accepted responsibility for her actions and has already begun rehabilitative measures by seeking counseling and support.
- The penalty provides both specific deterrence and general deterrence to deter members of the profession from engaging in similar misconduct.