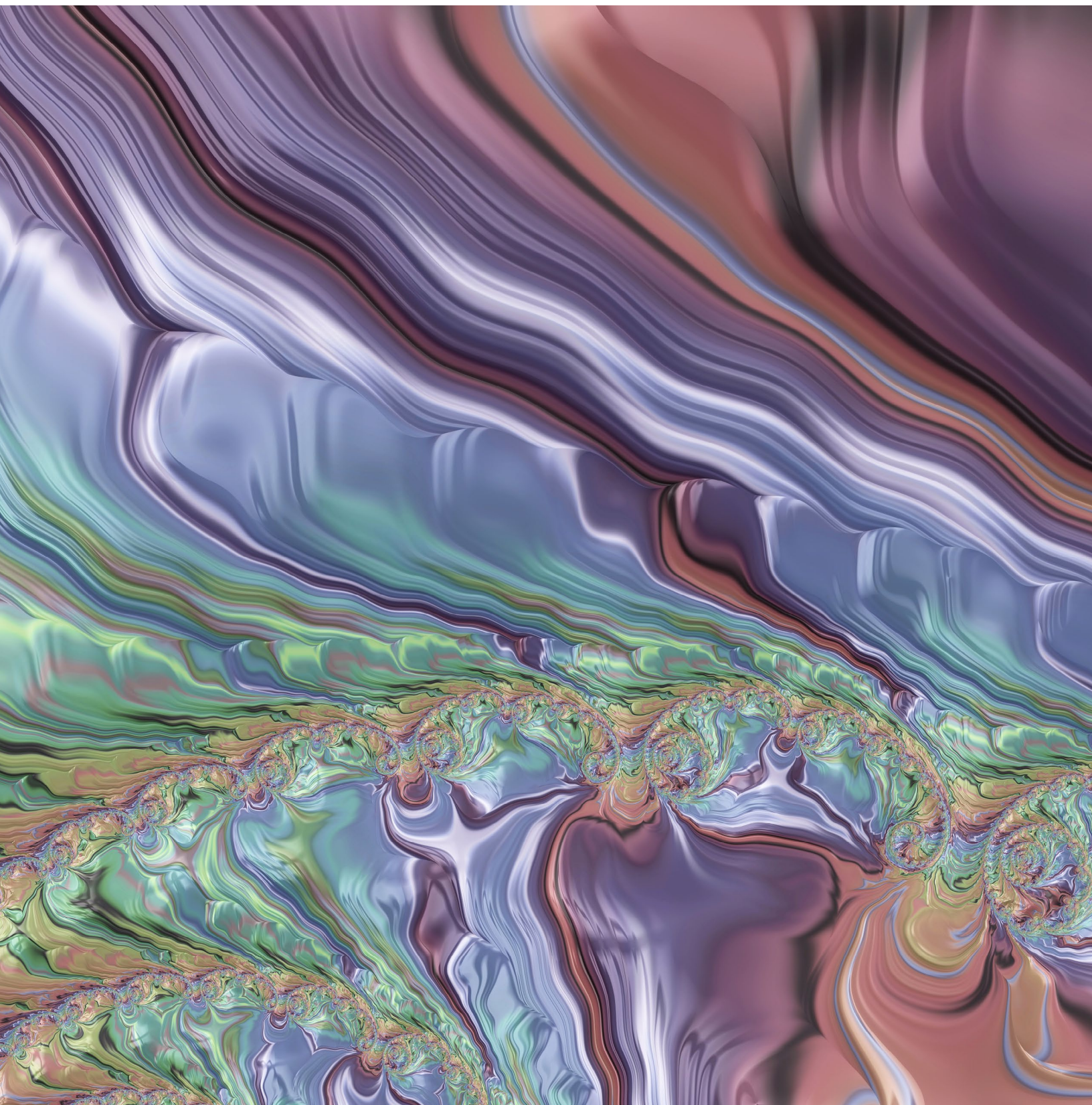


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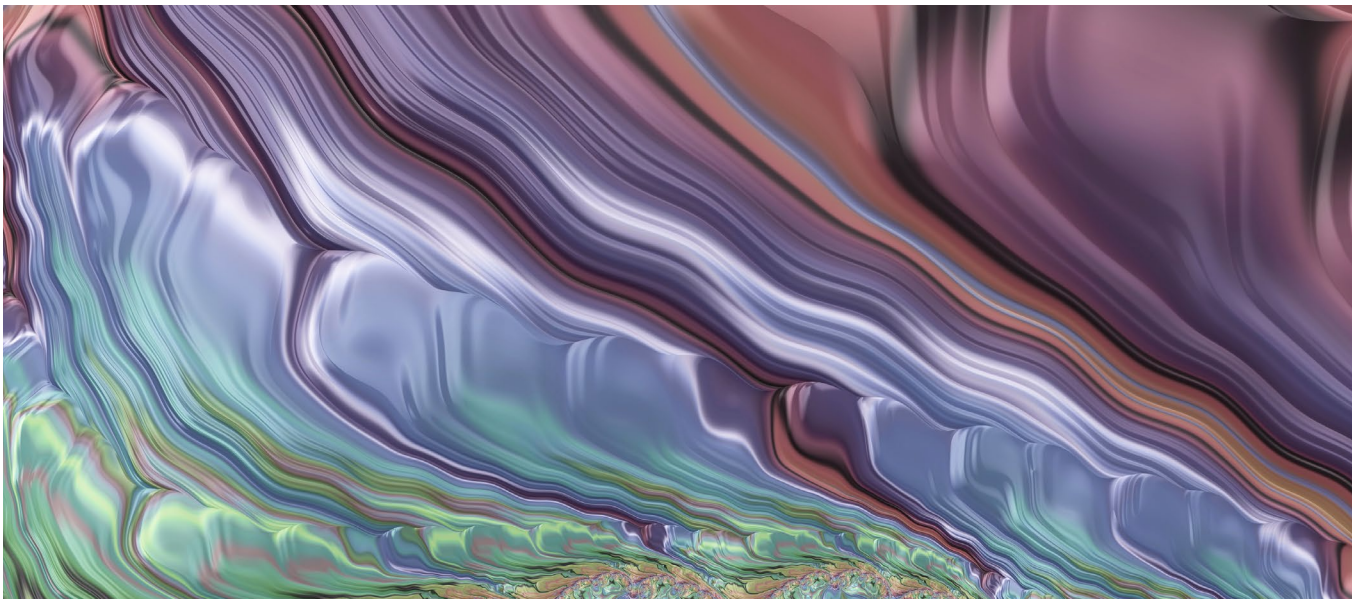
# PERSPECTIVE

A PUBLICATION OF THE ONTARIO COLLEGE OF SOCIAL WORKERS AND SOCIAL SERVICE WORKERS



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# MESSAGE FROM THE REGISTRAR AND CEO



## ➤ PROFESSIONAL BOUNDARIES CAMPAIGN

As another winter turns to spring, I think about the cycles of our work at the College – as well as the constant of change. Outside, the weather warms and vegetation surfaces once again, yet the sun always rises.

This will be my last message in *Perspective*. As many of you know, I have [announced my retirement](#) effective the end of July 2023. It has been a privilege to serve as the College's Registrar and CEO for the past eight years, with our commitment to public protection guiding each of my decisions and all my actions.

It is with public protection in mind that I want to discuss an issue of great concern to the College. Over the past two years, the College has seen a 107% increase in the number of complaints received related to sexual misconduct. This increase is deeply disturbing. It is also a call to action to registrants who have an ethical obligation to address professional boundary violations if/when they become aware of them, and a legal obligation to report sexual misconduct.

As regulated professionals, social workers and social service workers must maintain professional boundaries at all times. Sexual contact between College registrants and their clients not only undermines the public's trust in the professions, it is also strictly forbidden under the College's Code of Ethics and Standards of Practice

and the Professional Misconduct Regulation, O. Reg. 384/00, made under the *Social Work and Social Service Work Act, 1998*.

Breaching professional boundaries and engaging in any form of sexual contact with a client are extremely serious forms of professional misconduct, which can result in penalties up to and including the revocation of a registrant's certificate of registration with the College. When a client seeks services from a social worker or social service worker, they are reaching out at a time when they may be extremely vulnerable. Registrants can cause terrible harm to their clients if they take advantage of the inherent power imbalance that exists within the professional relationship – and that abuse of power is never more evident than when they engage in sexual misconduct.

Since the launch of our public awareness campaign in 2019, the College has seen a steady increase in the number of complaints received overall. These results are to be expected, as we estimate that millions more Ontarians are now aware of the College and its public protection mandate.

The number of sexual misconduct-related complaints received by the College has increased at a much faster rate, however: in 2021, sexual misconduct-related complaints represented 8% of all complaints received; last year, this number grew to 16%. The number of

sexual misconduct-related matters referred to the College's Discipline Committee grew at an even faster rate: these cases represented 59% of the total number of referrals to discipline in 2022 – up significantly from 25% in 2021.

As part of our efforts to reduce the incidence of sexual misconduct, the College has embarked on a multi-faceted campaign to shed light on this issue, educate stakeholders about the importance of maintaining professional boundaries, and ensure that registrants, employers and others understand the serious harm that boundary violations and sexual misconduct cause to clients. This campaign will engage with College registrants, service users and employers to ensure that they are aware of the many public protection tools available to them. As a first step, the 2023 [Continuing](#)

[Competence Program required readings](#) address boundaries and sexual misconduct.

While I am approaching the end of my time with the College, the College's steadfast commitment to its public protection mandate will not change. I am confident that the new Registrar and CEO will take over the reins of this important campaign, and that the College will see success in its efforts to reduce the incidence of sexual misconduct and boundary violations. One report of sexual misconduct is one report too many.

Sincerely,

**Lise Betteridge**, MSW, RSW  
Registrar and CEO  
Ontario College of Social Workers and Social  
Service Workers

# “WE ARE STILL HERE” – A WOMAN’S JOURNEY TO HEALING AND REDISCOVERY



**Content/trigger warning:** The following article includes information about residential schools, violence against children, intergenerational trauma, systemic and structural racism and oppression and the ongoing impact of colonialism. Readers are encouraged to seek support if needed.

➤ Last year, Rita May Fenton stumbled upon her dream journal from 2012. She had a dream about living in a big house with many people coming to visit, called “The Healing Place.”

“I’ve always wanted to have a teepee in my backyard and people coming for healing,” she said.

With the support of the community, Rita set out on realizing her dream. Enough money was raised through fundraisers and donations to purchase a teepee to construct in her backyard on Anemki Wajiw (Fort William First Nation). While the teepee was being raised, three eagles flew overhead, and when it was finished there were two more.

“It was a beautiful sight seeing the eagles, soaring above – a sign that this was a spiritual thing, and the Creator was blessing this Space,” remembered Rita, whose Anishinaabe spirit name, Migisi Ikwe, means “Eagle Woman.”

A few months later, Rita hosted the grand opening for The Healing Place in her backyard, which would be open to anyone who wanted help. The ceremony was attended by many dignitaries, including Alvin Fiddler, the former Grand Chief of the Assembly of First Nations, and Sol Mamakwa, the Member of Provincial Parliament representing the riding of Kiwetinoong, as well as representatives from the media.

The Healing Place was more than a personal accomplishment for Rita. It was also a reminder of how far she had come in her journey – from the throes of addiction towards a path of healing and rediscovery of a culture that was taken away from her.

## MISSING BAY INDIAN DAY SCHOOL

Growing up, Rita knew very little about her Anishinaabe culture and history. She attended Mission Bay Indian Day School – a day school run by the Catholic Church – which was part of a system that actively sought to eliminate Indigenous identity,

including language and culture. Though she was a Catholic at the time, she never felt accepted by settler Canadian society.

“The high school white kids called me names like ‘squaw’ and ‘stupid Indian,’” she reflected.

The experience left a hole in her soul. By the time she was 17, she had quit school and was pregnant. She also had an alcohol addiction and was caught in a vicious cycle of abuse.

The Indian Residential School System (IRSS) is a shameful part of Canada’s history, which saw the forcible removal of Indigenous children from their families and culture. The schools they were sent to were rife with physical and sexual abuse, neglect and – as seen in the recent uncovering of mass graves across the country – death. Residential and day schools were created as a means to assimilate – or “civilize” – Indigenous peoples into settler society.

“In order to educate the (Indigenous) children properly we must separate them from their families,” Sir Hector Langevin, a father of Canadian Confederation, said in a shocking quote to Parliament in 1883. “Some people may say this is hard, but if we want to civilize them, we must do that.”

The legacy of the residential school system, along with ongoing systemic racism, continues to have a devastating impact on survivors and on their descendants in the form of intergenerational trauma. Indigenous peoples are much more likely to experience poverty, negative health outcomes, incarceration and violence than non-Indigenous populations. Suicide rates, for example, are **three times higher** amongst First Nations communities than the Canadian average. This is only one of many disturbing statistics.

### THE PATH OF HEALING AND REDISCOVERY

After Rita hit rock bottom in her thirties, her life took a turn for the better. She enrolled in Indigenous-focused courses at Confederation College where she started to learn about the history of the Anishinawbe people. When she danced in her first powwow, tears began streaming down her face as she felt for the first time a connection to her spirit. She embraced her Indigeneity, her sense of belonging and knowing who she was inside. She was an Anishinawbe. She felt proud of who she was and no longer felt the shame that was so deeply ingrained in her from her childhood.

“It was a real awesome program,” she says. “I got in touch with my feelings, including anger, and began decolonizing my mind. I learned more about my culture,



Photo: Rita May Fenton



about smudging to take away negative energy, made moccasins and skirts, met Elders, and took part in a women's drum circle every Wednesday evening."

The positive experiences throughout Rita's life have helped her overcome her addiction and gave her a higher purpose. She wanted to help those in her community, many of whom suffer from the impacts of the IRSS. She became a registered social worker. She went on to complete her honours bachelor of social work degree at Lakehead University in 2001. In 2017, at the age of 69, she completed her masters in social work.

"Without the education and knowledge of my history, without the counselling and dealing with those horrifying experiences, I wouldn't be able to do the work that I've done throughout the years," she said. "I now use my lifelong experiences to help all people I come into contact with."

Now, as she approaches retirement, Rita continues to serve her community and advocate for social justice. She recently travelled to Alberta to represent IRSS

survivors during Pope Francis' visit and continues to support survivors on different Elder advisory committees. Though she believes strongly that much, much more needs to be done when it comes to truth and reconciliation, Rita remains confident in the strength of her community.

"Our ancestors and generations afterward were stripped of our rights, our identity, our language and our culture," she said. "Our ancestors were very resilient and were strong, and without their resiliency and strength, we would not be here. But our beautiful spirits - that fire that is within each and everyone of us - remained. Nothing can ever take that away from us. We are resilient and strong. And we are still here."

**Important note:** *The Indian Residential School Crisis Line provides support for former students and those affected. Individuals can access emotional and crisis referral services by calling the 24-hour national crisis line: 1-866-925-4419.*

*The College would like to thank Rita for speaking with us and sharing her experiences.*

# COUNCIL MEETING HIGHLIGHTS



## > COUNCIL MEETING HIGHLIGHTS FOR DECEMBER 1, 2022

- John Fleming, Council Chair, provided his report to Council.
- Lise Betteridge, RSW, Registrar and CEO, and Denitha Breau, Deputy Registrar, presented their report to Council. The report provided updates under each strategic priority in the College's Strategic Plan and included information about the following: registrant-base data including a breakdown of registrants; registration stats over the last year as compared to previous years; an update on the College's CRM software upgrade; the Professional Practice Department's continued practice support; the College's ongoing communications initiatives; an update regarding the College's eventual implementation of entry-to-practice exams for social work and social service work applicants; and Complaints and Discipline.
- Council reviewed the Statement of Financial Position as of September 2022.
- Council reviewed the Statement of Operations for September 2022.
- Council reviewed and approved the 2023 Budget and Work Plan.
- Council reviewed and approved a motion that staff continue to explore options and next steps related to lease expiration.
- Reports were received from the following statutory committees: Executive; Complaints; Discipline; Registration Appeals; and Fitness to Practise.
- Council reviewed a summary of the College's 2022 Educational Forum.
- Council discussed and passed a motion to re-approve – on the basis of further information provided by the program – the Community Worker Program at George Brown College as equivalent to a social service work program offered in Ontario at a college of applied arts and technology (CAAT).
- Council reviewed the College's Risk Register.
- Council approved the appointment of Crowe Soberman LLP as the College's auditors for the year ending December 31, 2022.
- Council carefully considered and approved a number of decisions around the implementation of recommendations from the governance review.
- Reports were received from the following non-statutory committees: Standards of Practice; Election; Nominating; Finance; Governance; Corporations; and Titles and Designations.



## COUNCIL MEETING HIGHLIGHTS FOR MARCH 1, 2023

- John Fleming, Council Chair, provided his report to Council.
- Council received an update from Stacey Hardy-Chandler, CEO of the Association of Social Work Boards (ASWB), and Siu Ming Kwok, President of the Canadian Council of Social Work Regulators, regarding entry-to-practice exams.
- Lise Betteridge, RSW, Registrar and CEO, and Denitha Breau, Deputy Registrar, presented their report to Council. The report provided updates under each strategic priority in the College's Strategic Plan and included information about the following: renewals and registrant-base data including a breakdown of registrants; an update on the College's CRM software upgrade; the Professional Practice Department's continued practice support as well as an update around consultations regarding the draft revisions to the Standards of Practice; this year's Annual Meeting and Education Day; the College's ongoing work around stakeholder and government relations; the Equity and Inclusion Data initiative; the College's ongoing efforts around title protection matters; and Complaints and Discipline.
- Council reviewed the Statement of Financial Position as of January 2023.
- Council reviewed the Statement of Operations as of January 2023.
- Reports were received from the following statutory committees: Executive; Complaints; Discipline; Registration Appeals; and Fitness to Practise.
- Council received a general update around timelines and next steps for the strategic planning process 2024-2027.
- Council reviewed and discussed the College's risk mitigation strategies to address the sexual abuse of clients by registrants and agreed to move forward with the proposed approaches.
- Council reviewed a memo prepared by the College's government relations firm for future strategic planning.
- Council reviewed and approved the recommendations proposed by the Governance Committee with respect to draft revisions to the Risk Management Protocol.
- Council reviewed the College's Risk Register.
- Council carefully considered and approved a number of decisions around the implementation of recommendations from the governance review.
- Reports were received from the following non-statutory committees: Standards of Practice; Election; Nominating; Finance; Governance; Corporations; and Titles and Designations.

# COLLEGE UPDATES AND REMINDERS



## ➤ SAVE THE DATE FOR AMED 2023!

The College's Annual Meeting and Education Day (AMED) will take place on **Tuesday, June 13th**. This year's theme is *Making the Connection: Professionalism, Accountability and Public Protection*. The keynote speaker, Zelda La Grange, will present on her two decades of working closely with Nelson Mandela in post-Apartheid South Africa, reflecting on the connection to Canada's journey towards reconciliation and inclusion. There will also be four educational sessions that will take place throughout the day.

We encourage registrants to join us for this engaging virtual event. Registration for this year's event will open at the beginning of May. Please stay tuned for more information on how to register.

## 2023 COUNCIL ELECTION

The 2023 Council Election will take place in Electoral District No. 3 on **Thursday, May 25th**. All College registrants who practise in District No. 3 are encouraged to participate in this important process.

Registrants can access further information about Council elections, including the voting process, by visiting the [College website](#) or by contacting [elections@ocswssw.org](mailto:elections@ocswssw.org).

## STANDARDS OF PRACTICE REVIEW

Over the past two years, the College has been conducting a comprehensive review of its Standards of Practice. Once approved by Council, the revised Standards of Practice will impact every social worker and social service worker in Ontario, regardless of their area of practice. The proposed updates are intended to reflect societal changes and current practice in the professions of social work and social service work.

The Phase 2 stakeholder consultation has concluded, and further draft revisions will be made to the Standards of Practice. For more information on the Standards of Practice review, registrants can contact [practice@ocswssw.org](mailto:practice@ocswssw.org).

## GOVERNANCE REVIEW UPDATE

The College continues to work on implementing approved recommendations as set out in the [Governance Report](#). This work will continue over the next year. Recommendations that have already been implemented include:

- Use of the term "registrant" instead of "member."
- Change in title, from Council "President" to "Council Chair."
- Creation of the new Diversity, Equity and Inclusion Committee.
- Establishment of term limits which prevent Council members from seeking a further term once they have served ten years.

A full list of the approved recommendations and action plan can be found on the [College website](#). For questions related to the governance review, registrants may contact the Office of the Registrar at [oor@ocswssw.org](mailto:oor@ocswssw.org).

## PUBLIC AWARENESS CAMPAIGN UPDATE



As a result of its ongoing public awareness campaign, the College continues to see growth in visits to the Online Register of social workers and social service workers. Last year, the successful campaign – called “[What’s in a name? Protection for you](#)” – led to an 82% increase in visits to the College’s Online Register compared to 2021. The campaign includes advertising on digital media, in medical offices across Ontario, and on CP24, and in the future will include advertising on Spotify.

For further information about the public awareness campaign, registrants can contact [communications@ocswssw.org](mailto:communications@ocswssw.org).

## HAVE YOU CHECKED? UNREGULATED PRACTITIONERS WEBPAGE

In Ontario, only College registrants are permitted to use the titles “social worker/ registered social worker” and “social service worker/ registered social service worker,” their acronyms and French equivalents. Using any of the protected titles without being registered with the College is illegal.

To help inform Ontarians of unregulated practitioners, the College maintains a webpage which lists those individuals who are using the protected titles illegally. We will communicate with registrants about any changes and additions to the [Unregulated Practitioners webpage](#), including the addition of individuals, in future issues of *Perspective*. In the meantime, registrants who become aware of any individual who is illegally using a protected title and/or holding themselves out as a social worker or social service worker, may report this information to the College at [titleprotection@ocswssw.org](mailto:titleprotection@ocswssw.org).

# PRACTICE NOTES

## ➤ SHATTERED TRUST – THE SEXUAL ABUSE OF CLIENTS

# PRACTICE NOTES

## SHATTERED TRUST – THE SEXUAL ABUSE OF CLIENTS



**Content/trigger warning:** The following article includes information about sexual misconduct. Readers are encouraged to seek support if needed.

➤ *Practice Notes is an educational tool designed to help Ontario social workers, social service workers, employers and members of the public gain a better understanding of recurring issues dealt with by the College's Professional Practice Department and Complaints Committee that may affect everyday practice. The notes offer general guidance only and College registrants' with specific practice inquiries should consult the College, since the relevant standards and appropriate course of action will vary depending on the situation.*

In 2022, the College saw a disturbing rise in sexual abuse-related complaints. Sexual abuse is one of the most egregious ways that registrants can harm their client and breach their professional obligations. This trend is alarming and more must be done to prevent the sexual abuse of clients and ensure that registrants maintain professional boundaries.

Trust is fundamental to the helping relationship and, if violated, often results in severe and long-lasting

damage. Registrants are expected to conduct themselves at all times in ways that uphold their clients' best interests.

The Standards of Practice state that:

[t]he influence of the professional relationship upon clients is pervasive and may endure long after the relationship has terminated. College members are aware of the potential for conflict of interest and abusive treatment of clients within the professional relationship. Behaviour of a sexual nature by a College member toward a client represents an abuse of power in the professional relationship. College members do not engage in behaviour of a sexual nature with clients.<sup>2</sup>

Power imbalances are inherent within the professional relationship between a registrant and client. Because of this, registrants must "establish and maintain clear and appropriate boundaries in

<sup>1</sup> Disclaimer: the term "member" and "registrant" are used interchangeably and synonymously as equivalent to the term "member" as used in the *Social Work and Social Service Work Act, 1998*, and the Regulations.

<sup>2</sup> Ontario College of Social Workers and Social Service Workers (OCSWSSW), *The Code of Ethics and Standards of Practice Handbook, Second Edition, 2008*, Principle VIII: Sexual Misconduct, Introductory paragraph.

professional relationships for the protection of clients. Boundary violations include sexual misconduct and other misuse and abuse of the member's power."<sup>3</sup>

It is important for registrants to appreciate that under the Standards of Practice provisions regarding sexual misconduct, the prohibition against sexual relations with clients applies broadly, to prohibit registrants from providing clinical services to individuals with whom they have had a prior relationship of a sexual nature.<sup>4</sup> In addition, the Standards of Practice regarding sexual misconduct provide that sexual relations between registrants and clients to whom the registrants have provided psychotherapy and/or counselling services are prohibited at any time following the termination of the professional relationship.<sup>5</sup>

The *Social Work and Social Service Work Act, 1998*<sup>6</sup> and the Professional Misconduct Regulation under the Act also contain provisions defining and prohibiting the sexual abuse of clients by registrants. Under section 43(4) of the Act, "sexual abuse," with respect to a client by a member of the College means any of the following:

- (a) sexual intercourse or another form of physical sexual relations between the member and the client,
- (b) touching, of a sexual nature, of the client by the member, or
- (c) behaviour or remarks of a sexual nature by the member towards the client, other than behaviour or remarks of a clinical nature appropriate to the service provided.<sup>7</sup>

Under the Professional Misconduct Regulation, professional misconduct is defined to include (among other things):

5. Abusing a client physically, sexually, verbally, psychologically or emotionally, including sexually abusing a client within the meaning of [subsection 43\(4\)](#) of the [Act](#).<sup>8</sup>

Sexual misconduct or sexual abuse can occur in any practice setting, whether electronic or in-person, direct or indirect, and in the context of the provision of clinical or non-clinical interventions. Clients in these settings include individuals, families, groups, communities, organizations, research participants and students.<sup>9</sup>

Lastly, while it is beyond the scope of this Practice Note, it is important for registrants to appreciate that while the provisions relating to sexual abuse or sexual misconduct generally focus on conduct, behaviour or remarks relating to clients (and in some circumstances former clients), other standards may apply to similar conduct involving individuals who are not clients or former clients of a registrant. For example, the Standards prohibit registrants engaging in sexual activities with clients' relatives or other individuals with whom clients maintain a close personal relationship when there is a risk of exploitation or potential harm to the client, or where such activities would compromise appropriate professional boundaries between the registrant and client.<sup>10</sup> In addition, the Professional Misconduct Regulation defines misconduct to include engaging in conduct or performing an act relevant to the practice of the profession that, having regard to all circumstances, would reasonably be regarded by members as disgraceful, dishonourable or unprofessional.<sup>11</sup> This provision may be applied to a wide variety of conduct, including conduct in relation to individuals who are not clients or former clients.

<sup>3</sup> OCSWSSW, *The Code of Ethics and Standards of Practice Handbook, Second Edition, 2008*, Principle II: Competence and Integrity, Interpretation 2.2.

<sup>4</sup> OCSWSSW, *The Code of Ethics and Standards of Practice Handbook, Second Edition, 2008*, Principle VIII: Sexual Misconduct, Interpretation 8.5.

<sup>5</sup> OCSWSSW, *The Code of Ethics and Standards of Practice Handbook, Second Edition, 2008*, Principle VIII: Sexual Misconduct, Interpretation 8.7.

<sup>6</sup> *Social Work and Social Service Work Act, 1998*, SO 1998, c. 31.

<sup>7</sup> *Social Work and Social Service Work Act, 1998*, SO 1998, c. 31, s. 43(4).

<sup>8</sup> *Social Work and Social Service Work Act, 1998*, SO 1998, c.31, O. Reg. 384/00.

<sup>9</sup> Registrants should consult the definition of "Client" in the Glossary of *The Code of Ethics and Standards of Practice Handbook, Second Edition, 2008* to ensure that they have a clear understanding of who may constitute a "Client" for purposes of the sexual abuse and sexual misconduct provisions of the *Social Work and Social Service Work Act*, Regulation and Standards.

<sup>10</sup> OCSWSSW, *Code of Ethics and Standards of Practice Handbook, Second Edition, 2008*, Principle VIII, Interpretation 8.9. See also Principle II, Interpretation 2.2.2.

<sup>11</sup> *Social Work and Social Service Work Act, 1998*, SO 1998, c.31, O. Reg. 384/00, s. 2.36.

In engaging in sexual misconduct and/or sexually abusing a client, a registrant not only violates professional boundaries within that relationship, they may also permanently destroy the client's trust in the social work and social service work professions generally and cause them permanent or long-lasting harm. While most registrants will never sexually abuse a client, registrants should, to mitigate risk, discuss the Standards of Practice as they relate to sexual misconduct or client sexual abuse with their colleagues, managers, supervisors, students and clients.

The following three scenarios provide examples of sexual abuse or sexual misconduct within the helping relationship.

### SCENARIO 1 – A REGISTRANT'S MANDATORY REPORTING OBLIGATION

*A registrant was contracted to provide psychoeducational training at an organization. Their main contact at the organization disclosed that they had had a sexual relationship with their former social worker – who had asked the contact to keep the relationship a secret. While the relationship had since ended, the contact was confused and traumatized by the experience. The registrant was distressed by their contact's situation and requested a consultation with the Professional Practice Department to determine next steps and reporting obligations.*

During the consultation, the registrant was reminded to keep "the best interest of the client as the primary professional obligation."<sup>12</sup> The registrant recognized that they needed to remain objective to protect their contact's best interest. They were also advised to be "aware of their values, attitudes and needs and how these impact on their professional relationships with clients."<sup>13</sup> As a result of the conversation, the registrant decided to seek support to manage their own feelings about the situation.

The contact also disclosed the identity of their former social worker to the registrant. The registrant asked Professional Practice staff if they needed to file a report about the social worker with the College. Professional Practice staff described the reporting obligations in the *Social Work and Social Service Act, 1998*, which require College registrants to file a report with the College if they have reasonable grounds to believe that another social worker or social service worker has sexually abused a client.<sup>14</sup> The registrant decided to file a report and inform their contact of their reporting obligation.

The registrant indicated to Professional Practice staff that their contact would likely need support during the reporting process. As they had not provided direct clinical care to their contact, they questioned whether they should have a role in providing this support. Professional Practice staff referred the registrant to the Standards of Practice, which state that:

College members are responsible for being aware of the extent and parameters of their competence and their professional scope of practice and limit their practice accordingly. When a client's needs fall outside the College member's usual area of practice, the member informs the client of the option to be referred to another professional. If, however, the client wishes to continue the professional relationship with the College member and have the member provide the service, the member may do so provided that:

- (i) he or she ensures that the services he or she provides are competently provided by seeking additional supervision, consultation and/or education and
- (ii) the services are not beyond the member's professional scope of practice.

<sup>12</sup> OCSWSSW, *Code of Ethics and Standards of Practice Handbook, Second Edition, 2008*, Code of Ethics, Interpretation 1.

<sup>13</sup> OCSWSSW, *Code of Ethics and Standards of Practice Handbook, Second Edition, 2008*, Principle I: Relationship with Clients, Interpretation 1.5.

<sup>14</sup> OCSWSSW, "Mandatory Reports," 21 Mar. 2022, <https://www.ocswssw.org/public/complaints-and-discipline/mandatory-reports/>.

<sup>15</sup> OCSWSSW, *Code of Ethics and Standards of Practice Handbook, Second Edition, 2008*, Principle I: Competence and Integrity, Interpretation 2.1.1.

Recommendations for particular services, referrals to other professionals or a continuation of the professional relationship are guided by the client's interests as well as the College member's judgment and knowledge.<sup>15</sup>

As a result of the consultation with Professional Practice staff, the registrant explained their reporting obligation to the contact and provided them with a list of available supports. They also reviewed the parameters of their professional relationship with the contact including the prospect of being assigned a new main contact at the organization.

## SCENARIO 2 – A CLIENT WHO FAILS TO RESPECT BOUNDARIES

*A registrant contacted the Professional Practice Department for a consultation when a client repeatedly expressed romantic feelings towards them during their online sessions. The registrant explained that the client was not adhering to boundaries that had been set previously, which included refraining from making comments on the registrant's appearance and/or using terms of endearment. The client had a complex history of trauma and difficulty connecting with professionals and had voiced distrust in the therapy process. While the registrant set boundaries repeatedly and explained to the client on several occasions that their conduct was inappropriate within a professional relationship, the client did not respect these limits. The registrant became frustrated but was unsure how to proceed. They had decided to seek guidance because the client appeared to be making progress despite continuing to cross boundaries.*

The registrant understood it was their responsibility to ensure that sexual misconduct did not occur.<sup>16</sup> They explained to the client that any behaviour of a sexual nature toward them was inappropriate and documented these conversations.<sup>17</sup>

Professional Practice staff referred the registrant to Principle VIII: Sexual Misconduct, which states that:

[i]f overtures or provocative sexual behaviour by a client toward a College member become intrusive to the provision of professional services, the College member may choose to terminate the relationship and may offer to assist the client to seek alternate services.<sup>18</sup>

The registrant decided that the client's disregard for professional boundaries was counterproductive to the therapy process and the professional relationship should be terminated. The registrant offered the client alternative service options. As a result of this challenging situation, they also decided to obtain support to help navigate the termination process, set professional boundaries and process their own emotions.

## SCENARIO 3 – WHEN A REGISTRANT AND THEIR FORMER CLIENT ENTER A ROMANTIC RELATIONSHIP

*A registrant contacted the Professional Practice Department upon learning that a colleague was engaged to their former social worker. The colleague said that they had exchanged texts of a personal and occasionally sexual nature with their former social worker during the professional relationship and then began a romantic relationship shortly after the counselling services ended. The registrant felt conflicted because they cared about their colleague, knew the colleague's partner and believed that the two were in a genuine and loving relationship. At the same time, the registrant was aware of their mandatory reporting obligation with respect to the sexual abuse of clients.*

The registrant asked if they were required to report their colleague's consensual relationship to the College. Professional Practice staff explained that a romantic relationship with a client still falls under the definition<sup>19</sup> of sexual abuse in the *Social Work and Social Service Work Act, 1998* and registrants have a reporting obligation<sup>20</sup> in relation to the sexual abuse of clients.

<sup>16</sup> OCSWSSW, *Code of Ethics and Standards of Practice Handbook, Second Edition, 2008*, Principle VIII: Sexual Misconduct, Interpretation 8.1.

<sup>17</sup> Ibid., Interpretation 8.4.

<sup>18</sup> Ibid., Interpretation 8.4.1.

<sup>19</sup> *Social Work and Social Service Work Act, 1998*.

<sup>20</sup> OCSWSSW, "Mandatory Reports." 21 Mar. 2022, <https://www.ocswssw.org/public/complaints-and-discipline/mandatory-reports/>.

<sup>21</sup> OCSWSSW, *Code of Ethics and Standards of Practice Handbook, Second Edition, 2008*, Principle VIII: Sexual Misconduct, Interpretation 8.7.



The registrant also asked if their reporting obligation was any different because the sexual relationship between the colleague and their former social worker began in earnest after the professional relationship ended (although various personal and sexual texts and emails were exchanged before termination of the professional relationship). Professional Practice staff referred the registrant to the Standards of Practice, which state that:

[s]exual relations between College members and clients to whom the members have provided psychotherapy and/or counselling services, or with respect to whom the members have performed the controlled act of psychotherapy, are prohibited at any time following termination of the professional relationship.<sup>21, 22</sup>

Professional Practice staff also referred the registrant to the definition of sexual abuse in the Act, which defines sexual abuse to include “behaviour or remarks of a sexual nature by the member towards the client, other than behaviour or remarks of a clinical nature appropriate to the service provided”.<sup>23</sup>

The registrant indicated that they understood their reporting obligation but were uncertain about how to explain the process to their colleague. Professional Practice staff referred the registrant to previous [Practice Notes on sexual misconduct](#) which address how a registrant who may not set out to sexually abuse a client may do so after a series of smaller boundary violations such as contacting the client after hours or socializing with them.

The previous Practice Notes describe situations in which registrants engaged in sexual relationships with clients or former clients because they were unaware

of, or ignored, early warning signs. In these cases, registrants did not reflect on their own feelings and either disregarded, or were ill-informed about, the Standards of Practice and the prohibition on sexual relations with clients.

The registrant did not believe that their colleague felt exploited, nor did they believe that their colleague’s former social worker intended to abuse them. However, the registrant understood that clients receiving social work or social service work services are vulnerable, and that there is a fundamental power imbalance between client and registrant that is inherent to the professional relationship. The risk of client exploitation persists long after the professional relationship ends. After their conversation with Professional Practice staff, the registrant decided to report the sexual abuse to the College and speak to their manager about how to manage their relationship with their colleague moving forward.

## REFLECTION

In the course of their practice, registrants should reflect regularly on the following questions to determine if they have crossed professional boundaries or are at risk of doing so:

- Do I ever put my own needs before a client’s?
- Do I ever feel uncomfortable disclosing aspects of my practice/conduct with clients to my colleagues?
- Do I avoid discussing certain clients during supervision or misuse supervision in an attempt to justify my actions with those clients?
- Have I stopped documenting my interactions with clients or am I documenting minimally?
- Have I asked a client to keep secrets?

<sup>22</sup> Ibid., Interpretation 8.8 reads, “Sexual relations between College members and clients to whom the members have provided social work or social service work services, other than psychotherapy or counselling services and/or the performance of the controlled act of psychotherapy, are prohibited for a period of one (1) year following termination of the professional relationship.” Registrants should note that other provisions of the College’s Standards of Practice also apply to sexual relations between College registrants and clients or former clients. For example, sexual relations between a registrant and a former client will give rise to a dual relationship and create the potential for a conflict of interest. Prior to engaging in sexual relations with a former client, a registrant must evaluate not only whether such relations are permitted under Principle VIII and Interpretation 8.8, but also whether they give rise to a dual relationship and/or conflict of interest, or may contravene any other Standard of Practice of the College.

<sup>23</sup> *Social Work and Social Service Work Act, 1998*, s. 43(4)(c).

Answering “yes” to these questions may indicate that a registrant has crossed or is at risk of violating professional boundaries. Registrants are reminded that they have a professional obligation to conduct themselves appropriately and to seek supervision or other support, for the protection of clients.

## **CONCLUSION**

The College continues to see a significant and concerning increase in sexual abuse-related complaints. A collective effort must be made to address this issue. These Practice Notes have provided examples of how

the sexual abuse of clients can occur and how it is an egregious violation of the helping relationship which causes immense harm. The Standards of Practice require registrants to maintain professional boundaries, engage in self-reflection, seek supervision and act upon their mandatory reporting obligations. Registrants also have an important role in helping to protect clients by speaking openly about the sexual abuse of clients, and encouraging others to do the same.

# DISCIPLINE DECISION SUMMARIES



➤ The College publishes summaries of decisions of the Discipline Committee and/or provides links to full-text, neutralized versions of its decisions. Information that is subject to a publication ban or that could reveal the identity of witnesses or clients, including the name of the facility, have been removed as necessary, or have been anonymized. As of January 2019, decisions are also available via the [Canadian Legal Information Institute \(CanLII\)](#).

By publishing decisions, 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.
- Provide social workers, social service workers and members of the public with an understanding of the College's discipline process.

## **Harrison Mungal, Registration No. 809115**

The Discipline Committee of the Ontario College of Social Workers and Social Service Workers found that Harrison Mungal is guilty of professional misconduct in that the member violated sections 2.2, 2.15, 2.21, 2.28, 2.29 and 2.36 of O. Reg. 384/00 (Professional

Misconduct) to the *Social Work and Social Service Work Act*, Principles II, IV and VII of the *Code of Ethics and Standards of Practice Handbook* (Standards of Practice), as commented on in Interpretations 2.2.7, 2.2.8, 4.1.2, 7.1.1, 7.3.3, and 7.4.

[Read](#) the Discipline Committee's Decision and Reasons for Decision.

## **Essa Rageh Egal, Registration No. 804796**

The Discipline Committee of the Ontario College of Social Workers and Social Service Workers found that Essa Rageh Egal is guilty of professional misconduct in that the member violated sections 2.2, 2.5, 2.6, 2.19, 2.20, 2.21, 2.24, 2.28 and 2.36 of O. Reg. 384/00 (Professional Misconduct) to the *Social Work and Social Service Work Act*, Principles I, II, III, IV, VI and VIII of the *Code of Ethics and Standards of Practice Handbook* (Standards of Practice), as commented on in Interpretations 1.5, 1.6, 2.2, 2.2.1, 2.2.2, 2.2.3, 2.2.8, 3.7, 4.1.1, 4.1.2, 4.1.3, 4.1.6, 6.1, 6.1.5, 8.1, 8.2 and 8.6.

[Read](#) the Discipline Committee's Decision and Reasons for Decision.

*(Penalty order pending)*

# WHAT ARE PROFESSIONAL BOUNDARIES?

## FAQ

The term “professional boundaries” is used to define the set of roles and expectations required of a College registrant in relation to their client. The College registrant has a professional obligation to maintain professional boundaries and ensure that the needs of the client are paramount at all times. In short, professional boundaries require a registrant to **only** have a professional relationship with their client. When a registrant engages in conduct with a client that falls outside what is required by the professional relationship, that is a violation of professional boundaries.

A College registrant will be found to have violated professional boundaries when they fail to keep the relationship with their client within the required roles and expectations defined in the College’s Code of Ethics and Standards of Practice. “Blurring the lines” between registrant and client may lead to an increasingly unprofessional and inappropriate relationship.

**Preventing the “slippery slope” of boundary violations is entirely the responsibility of the registrant, not the client.**

Sexual misconduct and the sexual abuse of clients

are among the most serious and harmful forms of boundary violation. Sexual abuse of a client may include:

- Sexual intercourse or other forms of physical sexual relations between a College registrant and a client.
- Touching a client in a sexual manner (e.g., touching a client’s breasts or genitals).
- Behaviour of a sexual nature towards a client (e.g., touching a client’s hand unnecessarily and in a manner that implies a sexual interest in the client or displaying sexualized materials in an office for no clinical purpose).
- Remarks of a sexual nature towards a client (e.g., commenting on the size of a client’s breasts or genitals).

College registrants’ obligation to uphold professional boundaries is taken very seriously by the College and is central to the College’s public protection mandate.

If you have any practice-related questions related to professional boundaries, please contact the College’s Professional Practice Department at [practice@ocswssw.org](mailto:practice@ocswssw.org).

# 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 registrants available to the public. Notification of change of address can be done by sending the new employer address to the College by email to [info@ocswssw.org](mailto:info@ocswssw.org), by fax to 416-972-1512 or by mail to the College office address. In addition to providing your new address, please provide your old address and College registration number.

If you change your name or use a different name other than the one you registered with when providing social work or social service work services, you must 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 or other official government document for our records. The information may be sent by email to [info@ocswssw.org](mailto:info@ocswssw.org), by fax to 416-972-1512 or by mail to the College office address.

If you wish to update your education, you must ask your academic institution to forward an official transcript with the institution seal and/or stamp directly to the OCSWSSW by regular mail or by email to [info@ocswssw.org](mailto:info@ocswssw.org).

## PARTICIPATION IN THE WORK OF THE COLLEGE

If you are interested in volunteering for one of the College's committees or task groups, please email [oor@ocswssw.org](mailto:oor@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 bylaws and policies of the College.

## COUNCIL MEETINGS

Council meetings can now be viewed in real time via YouTube livestream. To view a Council meeting on YouTube, please email [oor@ocswssw.org](mailto:oor@ocswssw.org). Visit the College's website for the dates and times of upcoming Council meetings.

## 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 ethical and professional 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.

*Perspective* is the official registrant publication of the Ontario College of Social Workers and Social Service Workers.

## HOW TO REACH US

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Email: [info@ocswssw.org](mailto:info@ocswssw.org)  
[ocswssw.org](http://ocswssw.org)

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If you require this publication in an alternate format, contact the College at 1-877-828-9380 or [communications@ocswssw.org](mailto:communications@ocswssw.org)

## WHO TO CONTACT AT THE COLLEGE

### REGISTRANT AND RENEWAL SERVICES

For general inquiries, please email: [info@ocswssw.org](mailto:info@ocswssw.org)

For renewal inquiries, please email: [renewals@ocswssw.org](mailto:renewals@ocswssw.org)

### OFFICE OF THE REGISTRAR

If you wish to contact the Office of the Registrar, or are seeking information related to the College Council, please email [oor@ocswssw.org](mailto:oor@ocswssw.org).

### PROFESSIONAL PRACTICE

For professional practice inquiries, please email: [practice@ocswssw.org](mailto:practice@ocswssw.org)

For inquiries related to the Continuing Competence Program (CCP), please email: [ccp@ocswssw.org](mailto:ccp@ocswssw.org)

### COMMUNICATIONS

For inquiries regarding the College's website, newsletter, Annual Report and other publications, please email: [communications@ocswssw.org](mailto:communications@ocswssw.org)

### REGISTRATION

For general registration inquiries, please email: [registration@ocswssw.org](mailto:registration@ocswssw.org)

If you are a graduate of a program not in social work or social service work and have a registration inquiry, please email: [equivalency@ocswssw.org](mailto:equivalency@ocswssw.org)

### COMPLAINTS AND DISCIPLINE

For information on complaints, discipline and mandatory reporting, please email: [investigations@ocswssw.org](mailto:investigations@ocswssw.org)

If you are aware of any individual who is illegally using a protected title and/or holding themselves out as a social worker or a social service worker, you may report this information to the College at [titleprotection@ocswssw.org](mailto:titleprotection@ocswssw.org)