



PRINCIPLE VIII: SEXUAL MISCONDUCT

The 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.

Interpretation

- 8.1 College members are solely responsible for ensuring that sexual misconduct does not occur.
- 8.2 College members do not engage in the following actions with clients:
 - 8.2.1 Sexual intercourse or another form of physical sexual relations between the member and the client;¹
 - 8.2.2 Touching, of a sexual nature, of the client by the member;² and
 - 8.2.3 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.³
- 8.3 If a College member develops sexual feelings toward a client that could, in the member's judgement, put the client at risk, the member seeks consultation/supervision and develops an appropriate plan.⁴
- 8.4 If a client initiates behaviour of a sexual nature, the member states clearly that this behaviour is inappropriate by virtue of the professional relationship.
 - 8.4.1 If 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.
- 8.5 College members do not provide clinical services to individuals with whom they have had a prior relationship of a sexual nature.



- 8.6 Sexual relations between College members and clients at the time of referral, assessment, counselling, psychotherapy, or other professional services are prohibited. In other professional relationships, College members do not have sexual relations with any person where those relations, combined with the professional relationship, would create a conflict of interest.⁵
- 8.7 Sexual relations between College members and clients to whom the members have provided psychotherapy and/or counselling services are prohibited at any time following termination of the professional relationship.^{6,7}
- 8.8 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, are prohibited for a period of one (1) year following termination of the professional relationship.^{6,7,8}
- 8.9 College members do not engage 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 when such activities would compromise the appropriate professional boundaries between the member and the client.

FOOTNOTES

- 1. Physical sexual relations whether or not initiated by the client, include, but are not limited to, kissing of a sexual nature, touching of breasts or genitals, genital contact and sexual intercourse.
- 2. Touching is defined as physical contact of a sexual nature. It includes hugging, holding, patting, stroking, rubbing and any form of contact which is unnecessary to the helping process.
- 3. Behaviour or remarks of a sexual nature include but are not limited to amorous, romantic, seductive and sexual behaviours or remarks. These may include: expressing amorous and/or romantic feelings, e.g. being "in love"; requests to date; inappropriate gift giving; unnecessarily arranging sessions in off-site locations, e.g. in restaurants or the client's or the member's home, or beyond normal business hours; unnecessary comments about the client's body or clothing; requesting details of sexual history or sexual preferences not pertinent to the service that is being provided; initiation by the College member of conversations regarding the College member's sexual problems, preferences or fantasies; the wearing of sexually suggestive clothing or adornment; displaying pornographic or other offensive material and jokes or remarks that are sexually provocative or sexually demeaning.



Behaviour or remarks of a sexual nature do not include behaviour or remarks of a clinical nature appropriate to the service being provided.

4. In such cases it may be appropriate for the College member to seek alternative services for the client and terminate the relationship as soon as possible, in keeping with the client's interests.
5. See Principle II, Interpretation 2.2.
6. "Psychotherapy Services" are defined as any form of treatment for psycho-social or emotional difficulties, behavioural maladaptations and/or other problems that are assumed to be of an emotional nature, in which a social worker establishes a professional relationship with a client for the purposes of promoting positive personal growth and development.
7. "Counselling services" are defined as services provided within the context of a professional relationship with the goal of assisting clients in addressing issues in their lives by such activities as helping clients to find solutions and make choices through exploration of options, identification of strengths and needs, locating information and providing resources, and promoting a variety of coping strategies, but do not include psychotherapy services.
8. Members should note that in addition to Principle VIII, other provisions of the College's Standards of Practice also apply to sexual relations between College members and clients or former clients. For example, even after the expiry of the one-year period referred to in Interpretation 8.8 (regarding sexual relations with former clients to whom the member provided social work or social service work services, other than psychotherapy or counselling services), sexual relations between a member and a former client will give rise to a dual relationship and create the potential for a conflict of interest (see: Principle II, Interpretations 2.2 and 2.2.1 to 2.2.4). Prior to engaging in sexual relations with a former client, a member 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.