



PERSPECTIVE

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2014 Annual Meeting and Education Day: Exploring Possibilities in Social Work and Social Service Work Practice

On June 19, 2014, the College held its 14th Annual Meeting and 11th Education Day (AMED) at the Metro Toronto Convention Centre in downtown Toronto. The theme for this year’s AMED was *Exploring Possibilities in Social Work and Social Service Work Practice*. Exploring possibilities in practice is multi-faceted. It includes learning about new approaches and innovations, responding to opportunities for collaboration, respecting diversity, and practising according to the standards of practice and within the limits of one’s scope and competence, among other things.

The day began with a warm welcome from College President Beatrice Traub-Werner, M.S.W., RSW and remarks by Barbara Simmons, Director of Community and Developmental Services Branch at the Ministry of Community and Social Services. Barbara’s address was followed by reports from the President, Auditor, and Registrar. Approximately 550 members were in attendance, with an additional 40 tuning in by webcast.

The keynote address, entitled *Possibilities and Responsibilities: The Unique Contributions of Social Workers and Social Service Workers*, was given by Linda Jackson, M.S.W., RSW. Linda reviewed the many contributions that social workers and social service workers have made to the field, and challenged the audience to consider some of the greatest social work and social service work opportunities for the future.



Glenda McDonald, M.S.W., RSW, Registrar, Barbara Simmons, Director of Community and Developmental Services Branch at the Ministry of Community and Social Services, and Beatrice Traub-Werner, M.S.W., RSW, President.

Linda’s keynote address was extremely popular and received outstandingly positive feedback. If you were unable to attend this year’s AMED or would simply like to hear Linda’s presentation again, please visit the College YouTube Channel where you can access the presentation in its entirety: <http://youtu.be/4n2PxNT0fYs>.

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AMED: Exploring Possibilities in Social Work and Social Service Work Practice

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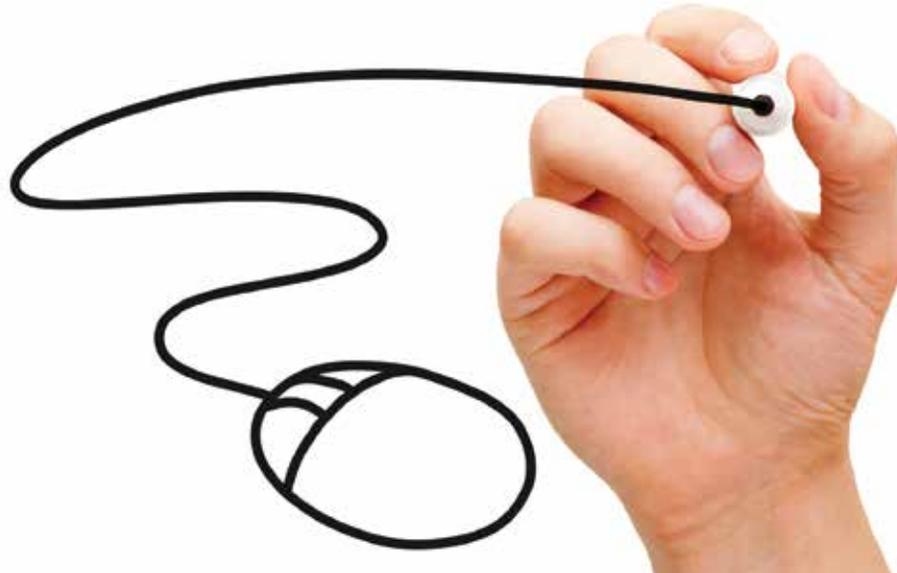
The afternoon breakout sessions were also very successful. The College would like to applaud and thank all presenters for delivering informative and memorable presentations. The 2014 breakout sessions included:

- Kathy Al-Zand, B.Sc.N., M.S.W., RSW - *Managing Complex Clients in a Private Practice*
- Christa Dales Donnelly, RSSW - *Compassion Fatigue Information and Support for Social Workers and Social Service Workers*
- Cristine Rego, M.S.W., RSW - *Promoting the Power Shift: Understanding the Need for Cultural Safety in Practice*
- April Gates, M.S.W., RSW, Susan Graham, M.S.W., RSW - *Through Thick and Thin: Exploring Effective Social Work/Social Service Work Practice with Eating Disorders*
- Ellen Kampf, M.S.W., RSW, Karen Pinto, RSSW - *Getting the most out of your CCP: Completing your Self-Assessment and Setting Meaningful Goals*
- Debra Grant, Director of Health Policy at the Office of the Information and Privacy Commissioner of Ontario - *Privacy Update from the Commissioner's Office*
- Steven Solomon, M.S.W., RSW - *Working with LGBTQ Youth/Gender Independent (GI) Children and their Families - Practice Challenges for Social Workers and Social Service Workers*
- Tammy Rankin, RSSW, Sargent John Keating - *Elder Abuse Identification and Interventions*

ANNUAL MEETING AND KEYNOTE ADDRESS WEBCAST

We encourage members who cannot attend the Annual Meeting and Keynote Address to participate by webcast from their home or work computer. During the webcast, members can engage by listening to live audio feed, following the PowerPoint slides and asking questions of the speakers. Additionally, members will receive a Certificate of Participation for their records.

Connecting with Members through Online Communication



Over the last few years, the College has moved the majority of its communication practices online. The shift towards technology was supported by members. It is, after all, a fast, easy and environmentally-friendly way to communicate. Members are now receiving most of their College-related information, materials and alerts through our website, the Member Resource USB key, e-mails, and our eBulletin system.

We have recently heard from a handful of members who are not receiving College eBulletins and would like to know why. Here are a few things to keep in mind about the College's online communication tools and services:

A VALID E-MAIL ADDRESS IS A NECESSITY

The College cannot send members information by eBulletin or by e-mail if we do not have a valid e-mail address. If you have not been receiving e-mails or eBulletins, please go to the College website at www.ocswssw.org and login to My Profile to ensure that your e-mail address is up-to-date.

YOU WILL NOT BE SPAMMED

The College only sends members information that is College-related and deemed to be important. The College will not give or sell your e-mail address to a third-

party or outside source. We also try to keep all e-mail communication to a minimum, sending as few e-mails as possible throughout the year.

INFORMATION TO CONSIDER ABOUT UNSUBSCRIBING FROM EBULLETINS

If a member chooses to unsubscribe from the College's eBulletin system, we will no longer be able to send that member College-related news or information. Therefore, the member may not receive information about Educational Forums coming to his or her town, or important updates about the Continuing Competence Program (CCP), for example. If you have unsubscribed from previous eBulletins but would like to re-subscribe, please contact Jolinne Kearns using the information provided below.

We want to ensure that our communication system works well for members and for the College. If you have any questions or require more information, please do not hesitate to contact Jolinne Kearns, Communications Manager, at (416) 972-9882 or 1-877-828-9380 ext. 415 or by e-mail at jkearns@ocswssw.org

New Council and Committee Roster for 2014 - 2015

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 8-9, 2014 Council meeting. Council includes 21 persons representing equally the public, social service workers and social workers. For complete biographies of Council members, please visit the College's website www.ocswssw.org.

SUSAN CLARK – PUBLIC MEMBER

Susan Clark 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 holds a Bachelor of Arts from York University and a Master of Public Administration and a Master of Arts (Journalism) from the University of Western Ontario. She was appointed to Council as a public member in 2005.

GREG CLARKE – ELECTED SOCIAL SERVICE WORKER

Greg Clarke, RSSW, has worked in community mental health and addictions for over 25 years. Greg holds the position of Past President of the Crisis Workers Society of Ontario. He currently works for the Gerstein Crisis Centre in Toronto and is the Mental Health Case Manager for the Scarborough Academic Family Health Team. Greg also provides training sessions, seminars and workshops for various agencies and organizations. He was elected to Council in May 2008.

GARY COCKMAN – ELECTED SOCIAL SERVICE WORKER

Gary Cockman has been in the social service worker field for 16 years and is currently employed by Brainworks Inc., a client-centred company serving the brain-injured population. Gary has previously served on Council from October 2003 to September 2004, and has had the pleasure to remain serving on each of the committees from 2001 to this day. Gary looks forward to participating on Council for a new 3 year term, and to be involved in the challenges facing Council in the future.

IRENE COMFORT – ELECTED SOCIAL SERVICE WORKER

Irene Comfort has been a Child and Adolescent Crisis Counsellor with Pathstone Mental Health for 19 years. She was a Member-at-Large on the board of the Crisis Workers Society of Ontario for two years and served as Treasurer

for seven years. Irene is a graduate of the Social Service Worker program at Niagara College and was elected to Council in May 2009.

LINDA DANSON – ELECTED SOCIAL WORKER

Linda Danson holds a Masters of Social Work from McGill University and she has been a social worker for over 30 years. She originally lived in Montreal where she worked in family services and child protection. She supervised social work students from McGill University, taught courses at Concordia and McGill Universities, and she has had a private practice. Linda currently works part-time for Champlain Community Care Access as a staff therapist, providing social work services to adults who are ill at home and with palliative clients. She is a guest lecturer at Algonquin College. Linda is a mother of two adult sons, Vice-President of the Renfrew and District Food Bank and lives in the Ottawa Valley with her husband.

ROSE-MARIE FRASER – ELECTED SOCIAL WORKER

Rose-Marie Fraser is a social worker who is currently a Practice Leader at The University Health Network. She is the Research Chair for the Ontario Caregiver Coalition. She has diverse experience in research, forensics, mental health, family resources, community and policy at the Ministry of Community and Social Services. She is cross-appointed with Factor-Inwentash Faculty of Social Work at the University of Toronto and prides herself on remaining involved with many grassroots organizations to advocate for social justice. Rose-Marie was first elected to Council in 2011.

JUDY GARDNER – ELECTED SOCIAL SERVICE WORKER

Judy Gardner graduated with honours from the Social Service Worker program at Centennial College and is currently working for the Royal Institute of Science and Management as an instructor in the Addictions and Community Service Work diploma program, where she plans, prepares and delivers classroom lectures based

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on the community service work curricula. In 2013, Judy completed two living crisis protocols for the City of Toronto Community Crisis Response Program. These were for the Dorset Park and Malvern areas in Scarborough, Ontario. Judy has over ten years of front-line professional experience supporting adults with developmental disabilities. Group facilitation is her specialty and her social service work passions are community development and conflict mediation.

DAVID HODGSON – PUBLIC MEMBER

David Hodgson has worked with a number of associations and regulatory bodies including health regulatory colleges in the areas of strategic planning, governance, organization restructuring, government relations and self-management. David was the Registrar and CEO of the College of Audiologists and Speech-Language Pathologists of Ontario (CASLPO) for 10 years. He was President of the Federation of Health Regulatory Colleges of Ontario and the Canadian Alliance of Regulators of Audiology and Speech-Language Pathology. Prior to this he was Registrar and CEO of the Ontario Architects Association, the regulatory body for architects. He came to the regulatory field after holding several senior positions in the Ontario Civil Service. David holds a degree in economics from the University of Western Ontario and is a member of the Council on Licensure, Enforcement and Regulation.

THOMAS HORN – ELECTED SOCIAL WORKER

Thomas Horn is currently employed as a criminologist in a forensic psychiatry program and maintains a part-time private practice. He is a graduate member of the British Psychological Society and a member of the Academy of Certified Social Workers (ACSW) through NASW. He holds an undergraduate degree in psychology and sociology, a Master's degree in social work, and presently he is working on the dissertation requirement for the degree Master of Science in criminology and criminal justice. With several publications to his name, Tom is an Assistant Professor (p/t) in the Department of Psychiatry and Behavioural Neurosciences at McMaster University, and an academic instructor in the School of Social Work at the University of Windsor.

THAMO HURLY – ELECTED SOCIAL SERVICE WORKER
Thamo Hurly graduated from Sheridan College's Social Service Worker program in 2005. Since that time she has spent her career primarily working with at-risk children, youth and their families. Her work has varied from youth employment to residential treatment for youth, and supervised access to community recreation. Thamo currently provides case management services in the Employment and Income Support Program in Waterloo Region. She was elected to the College Council in 2010.

CAROLE LÉVEILLÉ – ELECTED SOCIAL SERVICE WORKER

Carole is currently employed as a Health Care Facilitator with the Eastern Community Network of Specialized Care based out of Ongwanada in Kingston. Carole has over 25 years of experience supporting people with developmental disabilities and mental health issues. She sits on a number of committees geared towards training and education, aging and developmental disabilities and addictions. She is a co-author of an abuse prevention and personal safety workbook titled Project S.A.R.A.H. (Survivors Are Resilient Adults Healing) which was launched in 2004. Carole is a strong advocate of community partnerships and believes that it takes a community to improve the health and the well-being of all individuals who have a developmental disability.

NORMAN MACLEOD – PUBLIC MEMBER

Norman 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, the Psychology Foundation of Canada and the Better Business Bureau of Canada (National President). Norman was appointed to Council in June 2005.

LILY ODDIE – PUBLIC MEMBER

Prior to becoming a member of the Canada Immigration and Refugee Board, Dr. Lily Oddie was Coordinator of Employee Services at Orlick Industries, Hamilton, an

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elected member of the Ontario Provincial Legislature, Executive Director with YWCA of St. Catharines, Manager of Direct Services with the Hamilton-Wentworth John Howard Society, Director of McMaster University's Centre for Continuing Education and Coordinator, Institutional Research and Evaluation, Athabasca University. She earned her Honours Bachelor of Arts in Psychology from Dalhousie University and her Master's and Doctorate in Educational Psychology from the University of Alberta. Lily was appointed to Council in September 2008.

JOHN PRETTI – ELECTED SOCIAL WORKER

John Pretti is a social worker with more than 40 years' experience in the London community. He has a Bachelor's degree in psychology from the University of Western Ontario and a Master's Degree in Social Work from the University of Toronto. John has extensive experience in health care planning and administration, teaching, as well as the development of social policy. John is currently employed part-time as a counsellor at London Interfaith Counselling Centre. He also conducts capacity assessments in the southwestern region of the province. He has served on the boards of several community agencies and professional associations, including the Ontario Association of Social Workers and was previously elected to the College Council. John was re-elected in May 2013.

SYLVIA PUSEY – PUBLIC MEMBER

Sylvia Pusey has been an educator for 37 years and is retired from the Toronto District School Board. Her extensive community involvement includes serving on the Ontario Chiropractic Board/College as Secretary-Treasurer, as Board Member and Chair of the Community Advisory Committee of the Scarborough Grace Hospital, Co-Chair of the Scarborough Youth Justice Committee, Coordinator of a Youth Mentoring and Leadership Program, Member of the Board of the Boys and Girls Club of East Scarborough and Member of the Toronto Grant Review Team of Ontario Trillium Foundation. She has been the recipient of several awards for her contributions to Canadians and their communities, and was most recently honoured with Queen Elizabeth II's Diamond Jubilee Medal. Sylvia is married and the mother of three grown sons.

SOPHIA RUDDOCK – PUBLIC MEMBER

Sophia Ruddock was called to the Ontario Bar in 1995 and has over 18 years of experience appearing before various administrative tribunals and agencies. She has practised in the areas of human rights, administrative law, health law, and labour law. Currently, she acts as in-house counsel for an association, focusing on professional regulation.

DÉIRDRE SMITH – PUBLIC MEMBER

Déirdre Smith is the Manager of the Standards of Practice and Education unit of the Ontario College of Teachers where she has led the collaborative development of the Ethical Standards for the Teaching Profession and the Standards of Practice for the Teaching Profession. Smith has also coordinated the policy development of over 350 Additional Qualification (AQ) course guidelines and programs for teacher and leadership education. Déirdre has presented nationally and internationally on many topics including educational leadership, ethical practice, ethical standards, and standards of practice. She has been published in the areas of cases, teacher education, leadership, inclusive education and ethics. Her experience as a professional facilitator, school principal, education consultant, special education administrator, teacher educator, youth counselor and classroom teacher inform her work in policy development, teacher education, leadership formation, professional learning and organizational development.

ROBERT THOMPSON – ELECTED SOCIAL WORKER

Bob Thompson is a social worker with more than 40 years' experience in the North Region and in Eastern Ontario. He holds a MSW from the University of Toronto. His private practice, Thompson Management Support Services, is based in Thunder Bay and specializes in management and organizational development. Prior to retirement from full-time employment, Bob worked extensively in the fields of youth justice and child welfare, and taught in the Social Service Worker Program at Confederation College. Bob is involved in community organizations, with a favourite being the Children's Aid Foundation of the District of Thunder Bay. Bob was elected to Council from District 1 in May 2010 and May 2013.

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BEATRICE TRAUB-WERNER – ELECTED SOCIAL WORKER

Beatrice Traub-Werner was Director of Education at TAPE for 12 years, a position from which she resigned in the summer of 2012. Currently, she is Dean of Continuing Studies at the Adler Professional School and the Academic Instructor for the Bridge Training Program for Internationally Trained Psychologists and Allied Mental Health Professionals, a CIC-funded program provided by the Mennonite New Life Centre of Toronto. Upon completion of her Master of Social Work 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.

ANGELA YENSSEN – ELECTED SOCIAL WORKER

Angella Yenssen is a social worker in the Veterans Care Program at the Parkwood Hospital site of St. Joseph's Health Care London. She is also a volunteer trainer for the Community Torchlight agency in Guelph and provides statistical analysis and policy development consultation for the Alzheimer Society Waterloo Wellington. Angela obtained a Master of Social Work degree from Wilfrid Laurier University and a Master of Public Policy, Administration, and Law degree at York University. Angela was initially elected to Council in May 2009 and was re-elected in May 2012.

Council Highlights – May 13, 2014

- The President provided a report to Council on recent events and accomplishments
- Council received an update on the College premises expansion
- Council revised the Expense and Per Diem Policy
- Council approved an amendment to the Business plan
- Council approved, in principle, the 2015 member fee recommendations
- Council discussed the public appointment processes
- Council approved the draft By-Law No. 89 Amending the Election By-Law
- The Registrar informed Council of the OASW 2014 Provincial Conference sponsorship
- Council approved the Council Evaluation Policy
- Council approved the Financial Statements as of March 31, 2014 and reviewed the Audited Financial Statements for 2013
- Council reviewed and discussed the Registrar's and Deputy Registrar's reports
- Reports were received from the following statutory and non-statutory committees: Complaints, Discipline, Fitness to Practise, Registration Appeals, Standards of Practice, Election, Nominating, Finance, and Governance

Council Highlights – September 8 - 9, 2014

THE FOLLOWING COUNCIL MEMBERS WERE ELECTED BY COUNCIL TO THE EXECUTIVE COMMITTEE:

Beatrice Traub-Werner, RSW – President
Greg Clarke, RSSW – First Vice-President
David Hodgson, Public Member – Second Vice-President
Bob Thompson, RSW – 4th Executive Member
Irene Comfort, RSSW – 5th Executive Member
Lily Oddie, Public Member – 6th Executive Member

- Finance Training was provided to Council by Soberman LLP
- The Deputy Registrar presented the evaluation results from the 2014 Annual Meeting and Education Day. Overall, the event was a great success and the College received a number of suggestions for next year's event which will take place on June 15, 2015
- Council approved the recommendations of the Nominating Committee respecting the composition and chairmanship of Statutory and Non-Statutory Committees
- Council received an update on Public Member Appointments
- Council reviewed and approved Draft By-Law #90 – Amendment to By-Law #1 – Respecting the increased per diem for the elected Council members and other committee members; Draft By-Law #91 – Amendment to By-Law #2 – Respecting the increase to the registration fee and the annual renewal fee to \$275, effective January 1, 2015 and the increase in the application fee to \$100, also effective January 1, 2015; Registration Regulation amendment – Re: Provisional Certificates; and Conflict of Interest Policy
- Council approved the amendments to the following Governance policies: B-020 – Governance Policy Model; Governance Policy – Council Meeting Agenda Development Policy; and Governance Policy – Council Member Attendance at Conferences and Workshops
- Council approved the retirement of the following policies: B-021 – Professional Development Policy; Policy on Policy Development Process; and B-001 – Policy Template – Proposed Revisions
- Council appointed the President as the College's delegate at the ASWB AGM – November 13-15, 2014
- Council discussed and approved the attendance of Council members to the OASW Provincial Conference – November 14-15, 2014
- The Registrar provided an update to Council on the new office space
- Council reviewed the financial reports as of June 2014
- Council reviewed the 2015 Budget – Draft Workplan
- Proposed schedule of Council meeting dates was approved for 2014-2015
- Reports were received from the Registrar and the Deputy Registrar with regard to current College developments and achievements
- Council participated in a tutorial on the new Expenses and Per Diem Forms
- Reports were received from the following statutory and non-statutory committees: Complaints, Discipline, Registration Appeals, Fitness to Practise, Standards of Practice, Election, Nominating, Finance, Corporations, Titles and Designations and Governance.

Discipline Decision Summary



This summary of the Discipline Committee's Decisions and Reasons for Decisions is published pursuant to the Discipline Committee's penalty order dated September 5, 2014.

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

NALINI SINGH-BOUTILIER

FORMER MEMBER #802717

ALLEGATIONS

The Member's allegations relate to her conduct or actions in regard to her operation of two independent living homes for adults with developmental and functional limitations. The Member was the Executive Director of the business that carried on the operation of the independent living homes.

PLEA

As the Member was neither present nor represented at

the hearing (although notified of the hearing), she was deemed to have denied the allegations.

EVIDENCE

The Discipline Committee found that the following factual allegations were proven by the College – that the Member,

- i. Through the business's website, represented that the business offered disability services, elder care, day/evening programs, respite programs, residential services and a multi-faceted vocational program for individuals with special needs;
- ii. Misrepresented to families who had placed or were considering placing relatives in the homes to reside that she would provide their relatives (the "residents") with assistance (appropriate to the residents' needs and abilities) with activities of daily living, including grocery shopping, meal preparation, bathing, personal hygiene and laundry, and appropriate daily programming and activities;
- iii. Failed to provide appropriate care, programming and activities to residents of the homes and failed to ensure that they received the services promised (orally to residents' families and on the business' website). In particular, the Member,
 - a. Failed to ensure that residents were provided with appropriate meals and failed to purchase sufficient groceries to enable staff to consistently complete meal preparations, despite being repeatedly advised of food shortages by staff members, causing staff to at times bring food from their homes to feed the residents;
 - b. Failed to ensure that residents received appropriate assistance with bathing, personal care and hygiene, in that the Member:
 - Repeatedly sent one resident home for visits with the resident's family soaked with urine and dry stool on the resident's bottom and with dirty nails and hair and unbrushed teeth;
 - Required another resident to sleep on an

Discipline Decision Summary

air mattress (despite the fact that a bed was available) and repeatedly sent the resident home for family visits in dirty clothes and in a state of poor personal hygiene;

- c. Used inappropriate techniques to enforce the rules of the homes, including denying residents visitation with their families and withholding personal items (for example, cigarettes) purchased for residents by their families;
 - d. Failed to provide residents with regular outings, exercise or daily programming suitable to their needs and abilities; and
 - e. Took one resident with her on several occasions to a bar or nightclub.
- iv. Failed to deal appropriately with the depression and risk of self-injury of one resident whose parent had specifically warned staff that the resident was depressed and might self-injure. When staff conveyed that information to the Member, she dismissed it as an attempt by the resident to manipulate the resident's parent and get attention. The resident subsequently cut his throat with a kitchen knife deeply enough to require stitches while residing at one of the homes; and
- v. Failed to properly manage monies provided to the business by residents' families and disability benefits, provided to the Member in trust in relation to certain residents in that the Member failed to properly manage and expend the monies to fund the provision of necessities to the residents (including food and toiletries).

DECISION

The Discipline Committee found that the Member:

- a. Violated section 2.2 of the Professional Misconduct Regulation and Principle II (2.2) of the Standards of Practice (commented on in Interpretation 2.2.8) and section 2.36 of the Professional Misconduct Regulation by engaging in conduct that was
- b. As both the residents and their family members were the Member's clients, having respectively received direct and indirect social work services, the Member violated section 2.2 of the Professional Misconduct

disgraceful, dishonourable and unprofessional, in that,

- In her role as Executive Director of the business, and as a primary care giver of clients within her two residential programs, the Member acted disgracefully by failing to ensure that the basic needs of her extremely vulnerable clients were met. This conduct "shames the [Member] and, by extension, the profession of social service work."
- The Member engaged in dishonourable conduct by misrepresenting the quality and amount of "specialized" care, programming and activities that was promised both verbally and in promotional materials. There was "convincing evidence" of "neglect and lack of any meaningful activity or programming for the clients" and the Member was "both dishonest and misleading to her clients and their families."
- The Member's conduct was unprofessional. The evidence "showed a pattern of disregard for the care and well-being of [her] clients and their families. She refused to or avoided giving a financial accounting to the families of how the money received from the [residents' disability benefits] was spent and as trustee of the residents' funds, failed to return money to which she and or her [business] were not entitled." The Member "failed to maintain open and active communication with family members and did not provide regular updates or adequately respond to their concerns." The Discipline Committee found that "this behaviour falls far below the professional standards expected of a social service worker and constitutes professional misconduct as outlined in [the Professional Misconduct Regulation], and as such, is unprofessional.

Discipline Decision Summary

Regulation, section 1 of the Code of Ethics and Principle I of the Standards of Practice (as commented on in Interpretations 1.5 and 1.6). The evidence was “clear and convincing” that the Member failed to regard the well-being of her clients (including her indirect clients, the family members). The Member “did not consistently meet the basic needs of the clients in her direct care and did not meet the needs of her clients to whom she had indirect obligations, by responding to their concerns and by adequately answering their reasonable questions.” The Discipline Committee found that,

Testimony was given that [the business] did not have appropriate staffing and did not pay for the shifts of a personal support worker, often lacked sufficient food and other basic supplies, and that bill collectors were frequently attempting to make contact with the [Member] for payment of overdue accounts. Despite this financial crisis, the [Former] Member failed to distinguish her need to keep her source of income from the needs of her clients for proper nutrition, attention, personal care, and appropriate activity and programming as promised. She chose keeping the two homes open and continuing to receive income from the clients over the needs of the clients. It would have been reasonable and professionally responsible to explain the financial situation to the direct and indirect clients, arrange for referral and transfer of residents to homes that would be able to meet their needs, and to close the homes if the contracted services could no longer be adequately maintained.

c. Violated section 2.2 of the Professional Misconduct Regulation and Principle II (2.2) of the Standards of Practice (commented on in Interpretation 2.2.4) in that the Member:

- Failed to maintain clear and appropriate boundaries in her professional relationships with clients by taking a vulnerable client, with Williams Syndrome and physical and cognitive disabilities, to a bar and/or nightclub on more than one

occasion. On more than one occasion the Member also attempted to contact this client through social media, for nonprofessional reasons, well after services to this client had been terminated.

- Abused her position of power by engaging in inappropriate and arbitrary methods of punishment with the same client. This client received threats of being abandoned at a shelter with the suggestion that the client would be abandoned at the shelter. This client’s private property (shoes) were locked away to prevent the client from leaving the house and cigarettes provided to the client by family members were taken with the threat of keeping the cigarettes for a month or more. This client was also denied visits from and phone calls with family members, as a form of punishment.
- Engaged in financial violations in respect of her clients in that in her role as trustee, she kept the entire monthly disability benefit for another client, despite only providing weekend respite. When care for this client changed to respite every other weekend (as directed by the Member), the Member still did not return any money to the client’s parent despite the 50% reduction in services.

d. Violated section 2.2 of the Professional Misconduct Regulation and Principle III of the Standards of Practice (commented on in Interpretations 3.2 and 3.8) in that the Member:

- Failed to consistently deliver the promised personal support, such as personal care and hygiene for one client, who is non-verbal and totally dependent on personal care for bathing, changing of diapers, changing of clothes, brushing of teeth, brushing of hair, feeding, etc. The Member did not provide regular outings, activities, or other stimulation programs for the multiple needs of the residents of her homes, despite the promises made in person and through promotional materials.

Discipline Decision Summary

- Failed to adequately respond in a timely and reasonable manner to queries, concerns and/or complaints raised by the family members of the residents. The testimony of residents' family members revealed that the Member was extremely hard to get hold of despite numerous attempts to contact her by phone and in person by knocking on the door of one home when the Member was supposedly on shift and providing direct care to the clients. When the Member was contacted, she refused to provide financial records.
 - Failed to provide services that would meet the College's standards of practice and the Member ought to have known that her services were not likely to adequately benefit or meet the needs of her clients. Convincing evidence was presented that the clients were not provided enough to eat and that the food provided was not nutritious (e.g. two witnesses testified that there was only rice and pasta sauce available for every meal over the course of one particular weekend, despite multiple requests being made by a staff member to the Member to provide groceries). More than one witness testified that people not affiliated with the business provided food to one of the homes to compensate for the Member's inability or unwillingness to provide for these essential needs of her clients.
- e. Violated section 2.2 of the Professional Misconduct Regulation and Principle IV of the Standards of Practice (commented on in Interpretation 4.1.3) in that the Member failed to maintain systematic, dated and legible records for each client or client system served.

PENALTY ORDER

The Discipline Committee ordered that:

1. The Registrar is directed to revoke the Member's certificate of registration.
2. The Member will be reprimanded in writing and the fact of the reprimand will be recorded on the Register for an unlimited period of time.
3. The finding and order of the Discipline Committee shall be published, in detail or in summary or both, with the name of the Member but with information that would identify others removed, in the official publication of the College, on the College's website and on any other media-related document that is provided to the public and deemed appropriate by the College.
4. On the issue of costs, the Discipline Committee is prepared to direct the Member to pay a portion of the costs incurred by the College with respect to this matter, pending the Discipline Committee's receipt within seven days of the Committee's penalty order, of a bill of costs from the College.

Discipline Decision Summary



This summary of the Discipline Committee's Decisions and Reasons for Decisions is published pursuant to the Discipline Committee's oral decision rendered May 26, 2014 and written reasons dated September 29, 2014.

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

PAMELA BICKERTON (HENRY)

FORMER MEMBER

ALLEGATIONS

The College's allegations relate to Ms. Bickerton's conduct in regard to two complaints filed with the College by two different clients making similar allegations about Ms. Bickerton's conduct or actions.

The events underlying the College's allegations are as follows:

The Complaints Committee decided in respect of both complaints that although serious concerns were raised, those concerns did not warrant referral to the Discipline Committee. Given all the facts of the complaints, the Complaints Committee believed that the public interest could be appropriately served and protected by providing Ms. Bickerton with its Decisions and Reasons, identifying the conduct of concern and the basis for that concern, and by requiring Ms. Bickerton to appear before the Committee to be cautioned.

Ms. Bickerton and her legal counsel were notified, by mail, of the date and time at which Ms. Bickerton was to appear before the Complaints Committee to be cautioned in respect of both complaints.

Ms. Bickerton responded to College staff members, stating that she would not appear to be cautioned as she was out of the country caring for her ill parents, she did not believe she had done anything wrong, the College was harassing her and she was considering whether to sue the College. She additionally indicated that she wished to resign from membership with the College.

Ms. Bickerton did not appear before the Complaints Committee to be cautioned.

The College wrote to Ms. Bickerton regarding her failure to attend before the Complaints Committee to be cautioned. The College's letter outlined the possible consequences of not attending to be cautioned, including a possible referral to the Discipline Committee where there may be a finding of professional misconduct and an order for publication of the findings in a number of public vehicles. Ms. Bickerton was informed that if she needed to reschedule the caution she would be required to contact the College.

Ms. Bickerton did not contact the College to reschedule the caution. However, Ms. Bickerton did contact a College staff member to complain that the College was harassing

Discipline Decision Summary

her, that the College's letter threatened her, and that she would be resigning from the College. Ms. Bickerton was loud, belligerent and repeatedly swore at the College staff member.

Ms. Bickerton sent a letter of resignation to the College. The Registrar did not accept Ms. Bickerton's resignation.

PLEA

Ms. Bickerton was neither present nor represented at the hearing. The hearing, therefore, proceeded on the basis that Ms. Bickerton denied the allegations.

DECISION

The Discipline Committee found Ms. Bickerton guilty of professional misconduct as alleged in the Notice of Hearing in that she:

1. Violated Section 2.31 of Ontario Regulation 384/00 (Professional Misconduct) made under the Social Work and Social Service Work Act (the "Act") by failing to comply with an order of a panel of the Complaints Committee of the College when Ms. Bickerton failed to appear before the Complaints Committee to be cautioned;
2. Violated Section 2.36 of Ontario Regulation 384/00 (Professional Misconduct) made under the Act by 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 when she,
 - c. Failed to appear before the Complaints Committee to be cautioned, pursuant to the Decisions and Reasons of the Complaints Committee; and
 - d. Responded to correspondence from College staff in relation to those cautions in a manner that was unprofessional.

PENALTY

The Discipline Committee ordered that:

1. The Registrar is directed to revoke Ms. Bickerton's certificate of registration;
2. The Member shall be reprimanded in writing and the reprimand be recorded on the register for an unlimited period of time;
3. The finding and order of this panel of the Discipline Committee shall be published, in detail or in summary, with both the names of Ms. Bickerton and Ms. Henry, in the official publication of the College, on the College's website, and on any other media-related document that is provided to the public and is deemed appropriate by the College.
4. Ms. Bickerton shall pay costs to the College in the amount of \$5,000.00.

The Discipline Committee's reasons for its Penalty Order are as follows:

- Ms. Bickerton's refusal to attend the cautions or participate in the disciplinary proceedings suggests that Ms. Bickerton is ungovernable. The revocation of her certificate of registration demonstrates to the public, Ms. Bickerton and the profession that the Discipline Committee takes self-regulation very seriously and expects that College members do so as well. Revocation also accomplishes the goal of general deterrence by showing other College members that they cannot avoid being held accountable for professional misconduct by resigning their membership in the College.
- The objectives of remediation and rehabilitation are no longer applicable as Ms. Bickerton refused to attend before the Complaints Committee to be cautioned, chose not to participate in the disciplinary proceedings and submitted a request to resign from membership in the College.

Discipline Decision Summary

- Publication of the Discipline Committee's findings and order with both of the names Ms. Bickerton and Ms. Henry will serve an important notification purpose. Ms. Bickerton has continued her private practice of counselling and therapy under her former name, Ms. Henry, and may continue to do so without being registered as a College member. As the Act establishes a title protection regime, there is nothing to preclude her from continuing her private practice or accepting employment in which she continues to provide counselling or other services that would generally be considered social work, to vulnerable clients. Public protection requires publication under both names that she is using.
- Publishing Ms. Bickerton's names will also serve as an important general deterrent to other members of the College, who may otherwise think that they can avoid penalties that have been ordered by the Complaints or other Committees of the College by trying to resign their membership with the College.
- Reimbursement of costs in the amount of \$5000.00 is reasonable as Ms. Bickerton did not participate in the hearing. Refusing to participate in the process does not discharge the College's mandate to protect the public nor does it save the College the burden of holding a hearing to prove the allegations. Ms. Bickerton refused to participate in the hearing and caused the College to prove its case at considerable expense. This expense should not have to be borne by other members of the College. This penalty accomplishes the goal of general deterrence by sending a clear message to other members that the College will not tolerate members who chose not to participate in the disciplinary process.

The College Website at a Glance

The College website is an essential communication tool through which we share important information and resources with our many stakeholders. Use of the website continues to grow, with over 140,000 visits a year. Here's a bird's eye view of where to go and what you will find there:

- The **About the College** section contains general College information including details about Council and committees; our mission, vision and values; information about the professions; and current employment opportunities.
- The **Professional Practice** tab hosts tools and resources to support competent and ethical practice, including details on the Continuing Competence Program (CCP), the Code of Ethics and Standards of Practice, Practice Guidelines, Practice Notes on a range of important issues, and the PHIPA Toolkit. Be sure to go to the Private Practice page if you are in (or are considering) private practice.
- Visit the **Registration** section to find out what is required to register with the College, including educational requirements, lists of approved programs, application forms, and registration guides.
- The **Members** section includes information on renewals, online member services, elections, professional incorporation, the online Register and the member resource USB key. Note that this is also the section where you can access past and current Annual Meeting and Education Day (AMED) materials, including videos and PowerPoint slides.
- Look in the **Complaints and Discipline** section to find general information about the complaints and discipline processes; mandatory reports, and fitness to practice as well as summaries of Discipline Committee decisions. Details about upcoming Discipline Committee hearings are also included in this section.
- The **Student and New Graduates** tab was designed to meet the needs of students and new graduates as



they finish their education and become regulated professionals. The student webcast and the FAQ section are relevant for students, new graduates, educators and anyone seeking a better understanding of the role and mandate of the College, and how to register.

- The **Employer** section provides resources for those who employ RSWs and RSSWs in Ontario, including information about the role of the College and the professions; details about mandatory reporting and the register; and information on the importance of hiring regulated professionals.
- Head to the **Resource Room** to find College brochures, current and past issues of the *Perspective* newsletter, Practice Notes on a broad range of practice issues, Practice Guidelines, news updates, the Annual Report, eBulletins, and much more.

Coming Soon! The College website will take on a new look! Though the content will remain the same, the website will be more responsive for quality viewing on all devices.

To visit the College website please go to www.ocswssw.org

The CCP Evaluation is Underway!

As you are aware, the College has begun its review of the Continuing Competence Program (CCP) in order to enhance and improve it. The program is now in its 6th year. Harry Cummings and Associates (HCA) have been engaged to conduct an evaluation of the program, and members and other key stakeholders have been asked to share their experiences with the program and contribute their input and ideas.

In August, an online member survey was distributed to members via eBulletin. Following the collection of this data, randomly-selected members from five cities (Toronto, Ottawa, London, Thunder Bay and Sudbury) were invited to participate in focus groups. A preliminary focus group took place in Toronto in June. The later focus groups gathered further information and built on survey responses.

The results of the CCP evaluation will be shared with the College Council in December 2014. Be sure to look for the results of the evaluation and Council's response and recommendations early in 2015.

We are excited about the evolution of this important program. We value your opinions and thank you for your participation in shaping the CCP.

For further information about the CCP or the evaluation, please be sure to visit the CCP pages on the College website at www.ocswww.org or contact the Professional Practice Department.



Fees are Increasing in 2015 – Here’s How and Why

At its September meeting, Council made a carefully-considered decision to increase the 2015 registration and annual fees, as well as application fees. The NEW fees for 2015 will be as follows:

- The annual renewal fee for College members is \$275.00.
- The registration fee for new members is \$275.00.
- The new graduate fee is \$175 (\$100 less than the regular fee).

All of the fees above have increased by \$5.00 over previous years.

- The registration fee for members in the Inactive category of membership is half the new regular fee, or \$137.50.
- The application fee is \$100.00, effective January 1, 2015. This is an increase of \$25.00 over previous years.

The decision to increase fees has never been made before and was not made lightly. A number of factors contributed to Council’s decision, including:

■ RESPONSIBLE FINANCIAL STEWARDSHIP:

As part of its business plan, the College has been intentionally operating with a deficit budget for several years. This has resulted in a gradual and planned reduction to the College’s reserve fund. However, this plan could not be justified indefinitely as it is critical that the College maintain sufficient reserves to cover unanticipated legal fees and other unforeseen expenses. It was therefore determined that fees must be increased beginning in 2015.

■ MANAGEABLE INCREMENTS:

Even with the fee increase, the College will continue to operate with a deficit budget. It was decided that for most members, small, incremental fee increases would be preferable to one large increase.

■ A FIRST-TIME INCREASE:

The College has reduced its fees twice since it began operations in 2000. There have been no fee increases prior to this one. The College takes its mandate and responsibilities seriously. There is a cost to self-regulation, which must be entirely covered through member fees.

■ FAIR AND COMPETITIVE FEES:

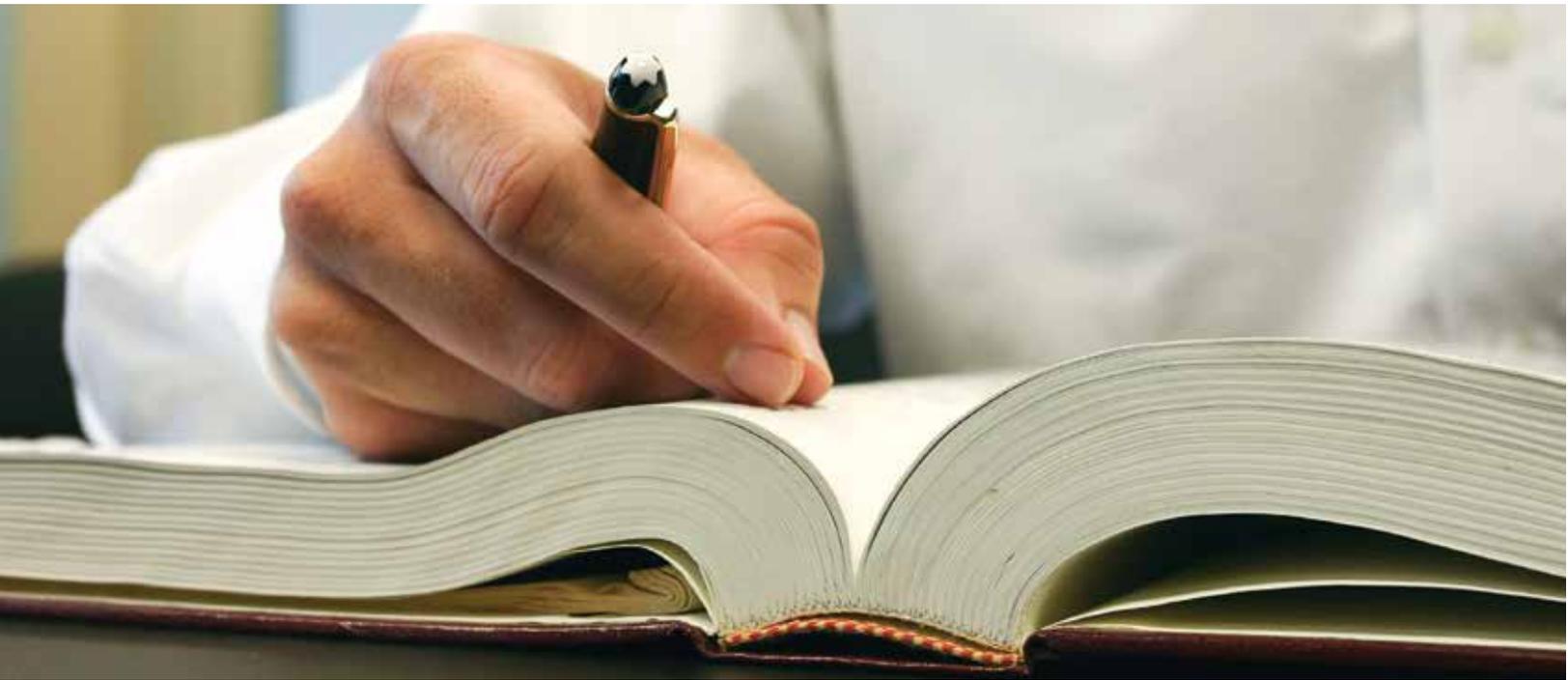
The College’s registration, renewal and application fees are lower than those of other regulatory bodies of comparable size. In fact, several regulatory bodies have had more than one fee increase during the same period that we reduced ours or kept them the same.

It is hoped that this explanation will provide members with the information they need to understand the fee increase.

For further information on fees or the fee increase, please contact Membership Services by e-mail at info@ocsusw.org or by phone at 1-877-828-9380 or 416-972-9882.

Practice Notes: Early Endings – Addressing the Challenges of Termination

LISE BETTERIDGE, M.S.W., RSW, DEPUTY REGISTRAR



Practice Notes is designed as an educational tool 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 professional practice department and the Complaints Committee that may affect everyday practice. The notes offer general guidance only and members with specific practice inquiries should consult the College, since the relevant standards and appropriate course of action will vary depending on the situation.

Successful termination is a desired outcome for clients and members alike. It occurs when clients “achieve agreed-upon treatment goals” and end their work with members in a mutual, planned and thoughtful manner.¹ It is generally agreed that termination is not only an important phase in clinical practice, but also one which carries with it important ethical and clinical responsibilities.² Terminations arising from members’ sudden or unforeseen departure are generally more challenging, complex and difficult for both members and their clients.³ These Practice Notes discuss some of the ethical challenges faced by members when they change positions, move to another agency or are terminated by their employer. They also discuss members’ obligations

when ending with clients whose needs they can no longer meet, and/or who have become threatening or violent toward the member. Considerations related to finding suitable resources for clients and advocating effectively and appropriately on behalf of clients are also discussed.

TERMINATING APPROPRIATELY WHEN CHANGING POSITIONS

Cuts to social work and social service work positions, the prevalence of shorter-term contracts, and stretched resources are some of the factors which may contribute to an increasingly mobile social work and social service work workforce. Members may find themselves moving more frequently from one agency to another, leaving behind full

1 Vasques, Melba J.T., Rosie P. Bingham and Jeffrey E. Barnett “*Psychotherapy Termination: Clinical and Ethical Responsibilities*” in *Journal of Clinical Psychology: In Session.*, Vol 64 (5), 653-665 (2008), p. 654.

2 *Ibid.*, p. 653

3 Pearson, Quinn M. “*Terminating before Counseling has ended: Counseling implications and strategies for counselor relocation*” in *Journal of Mental Health Counseling* 20.1 (Jan 1998) 55-63

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caseloads. This mobility raises a number of ethical and logistical challenges. Consider the following scenario:

A member who had been working in a community-based counselling agency for a number of years called the Professional Practice Department after accepting a position elsewhere. The member wondered what the standards of practice required of her as she approached this transition. She had a large caseload, and was concerned about how she would manage to find appropriate resources for those clients who wanted to continue to receive service. The member also noted that services in her area were limited, and there had been some cuts to positions within the agency. Because she intended to continue her small private practice, she wondered whether it would be appropriate to continue with a small number of clients in that setting.

The standards of practice require College members to “distinguish their needs and interests from those of their clients to ensure that, within professional relationships, clients’ needs and interests remain paramount.”⁴ They must also “provide clients with accurate and complete information regarding the extent, nature, and limitations of any services available to them.”⁵ This includes providing information about the services provided, what the client can expect from the agency or organization and the member following the member’s departure, and any other implications of termination. Members continue to have a responsibility to clients as they prepare to change positions.

In scenarios such as the one described, it is important for members to recognize, and to acknowledge to clients, that the termination stems from the member’s decision rather than the client’s readiness to end; in fact, in many cases, it may not be desirable from the client’s perspective. Clinical

skill is required to accomplish the tasks of termination in these situations. This includes reviewing the work that they have accomplished together, discussing the client’s progress, referring the client to other resources, and ending the relationship appropriately.⁶

The standards of practice also require members to “engage in the process of self-review and evaluation of their practice and seek consultation when appropriate.”⁷ Consultation or supervision can provide important guidance about the clinical approach to be taken to the termination, as well as ideas about potential resources to which to refer clients. It could also be an important and appropriate place for members to examine their own reactions to managing multiple terminations in a short period of time.

Self-reflection on the part of the member is essential in ensuring that the member’s own feelings about the unplanned or sudden termination (which may include stress, anxiety, guilt and even relief) don’t negatively impact clients.

The standards of practice state that “(i)t is professional misconduct to discontinue professional services that are needed unless ... the client requests the discontinuation, the client withdraws from the service, reasonable efforts are made to arrange alternative or replacement services, (or) the client is given a reasonable opportunity to arrange alternative or replacement services.”⁸ Members must also make “reasonable efforts to hold a termination session with the client.”⁹ Members “who anticipate the termination ... of service to clients (must) notify clients promptly and arrange the termination, transfer, referral, or continuation of service in accordance with clients’ needs and preferences.”¹⁰

One of the biggest challenges that members may face is finding appropriate services for clients in communities where resources are limited. Sometimes, agencies seek

4 *Code of Ethics and Standards of Practice Handbook, Second Edition 2008*, Principle I: Relationship with Clients, interpretation 1.6

5 *Code of Ethics and Standards of Practice Handbook, Second Edition 2008*, Principle III: Responsibility to Clients, interpretation 3.1

6 Pearson, p. 56

7 *Code of Ethics and Standards of Practice Handbook, Second Edition 2008*, Principle II: Competence and Integrity, interpretation 2.1.5

8 *Ibid.*, interpretation 3.9

9 *Ibid.*, interpretation 3.9

10 *Ibid.*, interpretation 3.10

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to cope with funding cuts by limiting new hiring and/or not replacing workers who leave, thus making it difficult to transfer clients internally as well. Members seeking resources outside their agency may find that other agencies or services in their community are highly specialized, have long waiting lists and/or charge fees that clients may not be in a position to pay. They may also find that they are the only ones providing particular services in the area, making the task of transferring clients even more difficult.

Although members are not bound to find alternate services for their clients in every instance, they must make a reasonable effort to meet their clients' needs and assist them in obtaining other services. What is reasonable will depend on a number of factors, including their assessment of the client's needs and safety at the time of termination, the length of time that they were involved with the client, and the degree to which it would be challenging for the client to find alternate services without the member's assistance. Members should also provide an opportunity for clients to discuss the issues that arise for them as a result of the termination. Professional judgment must be used when assessing the form that these termination sessions should take. In some instances, phone contact may be the best and only option; in others, termination may be a longer, face-to-face process.

In the scenario above, it appeared that the member's consideration of her private practice as a referral option for some of her clients came from her desire to work in their best interests. Nevertheless, this course of action brings with it potential risks that the member should consider carefully. The standards of practice note that "College members (must) establish and maintain clear and appropriate boundaries in professional relationships"¹¹ and that they "do not solicit their employers' clients for private practice."¹² Referring clients to her private practice could put the member in violation of not only agency policy,

but also the College's standards of practice in several ways. First, members must ensure that their clients' needs and interests, rather than their own, are paramount.¹³ Because a private practice is a business which profits the member, the optics of this choice must be considered carefully. The member would want to avoid any perception that she was benefiting personally from her decisions.

Secondly, the member would need to consider whether her plan could create a dual relationship with her clients and/or could be considered a conflict of interest. Members must not "engage in professional relationships that constitute a conflict of interest or in situations in which members ought reasonably to have known that the client would be at risk in any way. College members do not provide a professional service to the client while the member is in a conflict of interest."¹⁴ Members must consider not only situations in which there is an actual conflict, but also those where there is "a reasonable apprehension" that their "personal, financial or other professional interest or obligation" might influence them in their professional decisions.¹⁵

Finally, the member would need to consider the confidentiality issues that might arise with such a course of action.¹⁶

As a result of her contact with Professional Practice staff, the member decided to consult with other social workers at her agency to ensure that she was aware of as many potential resources as possible, so that she could refer clients appropriately. She also decided to meet with her supervisor to discuss the challenges associated with multiple terminations, and to enlist the supervisor's support in making appropriate referrals. She felt clearer about her responsibilities and accepted that she may not be successful in finding alternative services for every one of her clients.

11 Code of Ethics and Standards of Practice Handbook, Second Edition 2008, Principle II: Competence and Integrity, interpretation 2.1

12 Code of Ethics and Standards of Practice Handbook, Second Edition 2008, Principle III: Responsibility to Clients, interpretation 3. 3

13 Code of Ethics and Standards of Practice, Second Edition 2008, Principle I: Relationship with Clients, interpretation 1.6

14 Code of Ethics and Standards of Practice, Second Edition 2008, Principle II: Competence and Integrity, interpretation 2.2.1

15 A "reasonable apprehension" of conflict of interest will exist where a reasonable person, informed of all the circumstances, would have a reasonable expectation or concern (rather than merely a suspicion) that a personal, financial or other professional interest or obligation might influence the member in the exercise of his or her professional responsibilities. Code of Ethics and Standards of Practice, Second Edition 2008, Principle II: Competence and Integrity, Footnote 6

16 Code of Ethics and Standards of Practice Handbook, Second Edition 2008, Principle V: Confidentiality. Many interpretations related to this principle would be relevant.

Practice Notes: Early Endings – Addressing the Challenges of Termination

LISE BETTERIDGE, M.S.W., RSW, DEPUTY REGISTRAR

ADVOCATING FOR CLIENTS

Another less common but nevertheless serious challenge for members is associated with the abrupt termination of their employment, which may make termination with clients beyond the member's control:

A member of the College who had been working in a mental health setting for many years was shocked to learn that he had been terminated. He called the Professional Practice Department a few days after his termination, concerned about a number of his clients and his professional obligations. The member was upset that he had not been able to provide any explanation to his clients, nor had he been able to speak to his manager about clients at higher risk. The member wondered whether he should contact these clients in order to provide an explanation and link them with other resources.

As discussed above, members are required to make reasonable efforts to assist their clients to find alternate services as they prepare to leave an agency or organization. In this scenario, the member was unable to do so. However, the standards of practice also require members to "comply with any applicable privacy and other legislation"¹⁷. Once members have left an agency, they are no longer permitted to access, use or disclose any information related to their former clients. Doing so would be a serious breach of boundaries, confidentiality and privacy.¹⁸ The member in the scenario above may have other options, however. The standards note that social workers or social service workers "shall advocate for workplace conditions and policies that are consistent with the Code of Ethics and Standards of Practice ... (and) will use professional judgement in determining how to advocate".¹⁹ Such advocacy may take the form of documenting concerns and discussing them with a supervisor or manager, or other key person in the organization."²⁰ The member may wish to consider

communicating with his former manager or other appropriate person in the organization to express his concerns about his clients. This communication would be especially important for those clients with higher needs or at more risk. It could take the form of a telephone call or a memo, summarizing his involvement with his clients and his assessment of their needs at the time of his departure. As difficult as it may be to take this course of action, it would be a reasonable and professional way to ensure that he has taken every step possible to ensure his clients' well-being.

Because the member was understandably upset as a result of his abrupt termination, he had not considered that there might be options available to him to try to address his clients' needs. As a result of his consultation with the Professional Practice Department, he decided to draft a memo to his former supervisor, rather than attempting to contact his former clients directly.

WHEN THE MEMBER IS AT RISK

There may be times when members must terminate with clients for safety reasons, as in the following scenario:

A member in private practice contacted the Professional Practice Department seeking assistance in handling a challenging situation. The member explained that she had been working with a client for a number of months when it became apparent that the client's needs were outside her area of competence and beyond what could be provided in a private practice setting. She said that she made numerous efforts to refer the client for an outside assessment and more appropriate services, but the client refused to follow through. After seeking supervision, the member decided to terminate with the client. By the time the member called the College, she was feeling shaken by a number of threatening messages left by the client on her voicemail.

¹⁷ Code of Ethics and Standards of Practice Handbook, Second Edition 2008, Principle V: Confidentiality, interpretation 5.1

¹⁸ Many settings in which members are employed are bound by the Personal Health Information and Privacy Act, 2004 (PHIPA). This legislation limits the collection, use and disclosure of personal health information to the Health Information Custodian (HIC), or agents of the HIC.

¹⁹ Code of Ethics and Standards of Practice Handbook, Second Edition 2008, Principle II: Competence and Integrity, footnote 10

²⁰ Ibid., footnote 10

Practice Notes: Early Endings – Addressing the Challenges of Termination

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While situations like this one may not occur frequently, it is important for members who believe that they are at personal risk from clients or former clients to take steps to address the situation immediately, by seeking consultation/supervision, obtaining a legal opinion and/or contacting police. Each situation must be addressed on a case-by-case basis, as the member must assess how real, severe and imminent the threat. While it is usually in the best interests of both the member and the client to terminate, it may be difficult for members to realize that they are at risk. They may feel intimidated by the prospects of terminating with a hostile, demanding or threatening client, and might therefore be inclined to continue the work in order to defuse the situation.²¹ Consulting with a lawyer and obtaining clinical supervision can assist the member in improving their objectivity, increasing their self-awareness and gaining valuable support in formulating an appropriate response.²²

The standards of practice recognize that there may be situations in which members are at risk and no longer in a position to provide service. They permit members to “discontinue professional services that are needed (if) ... continuing to provide the services would place the member at serious risk of harm.”²³ In addition to making the decision to terminate, the member in the above scenario would also need to consider (and obtain legal advice regarding) whether she had a common law “duty to warn” or whether provisions in the *Personal Health Information Protection Act*, 2004 (PHIPA) applied to the case. The common law “duty to warn” or a “duty to protect” may exist even if the identified victim is the member.²⁴ As described more fully in previous Practice Notes dealing with the disclosure of information without consent,²⁵ this is a determination that a member would have to make with legal advice, since the existence of a duty to warn is a

question of law and it is beyond the scope of this practice note and also outside the role of this College to provide members with legal advice. PHIPA also provides that personal health information may be disclosed without consent if the individual making the disclosure “believes on reasonable grounds (that) the information is needed to eliminate or reduce a serious risk of severe bodily harm to the client, another individual (including the member) or a group of persons”.²⁶ Again, the determination of whether this provision of PHIPA applies to a particular situation should be made by a member with legal advice.

Regardless of her decision with respect to her duty to warn or to disclose information to the police, the member would be well-advised to ensure that the legal advice she obtained assisted her in deciding how best to communicate with the client about the termination. Members should note that the standards of practice do not oblige the member to have a termination session with clients when they believe that doing so would put them at serious risk of harm.²⁷

In the scenario above, the member was relieved to learn that she was not bound by the standards of practice to find alternate services for the client. She decided to obtain a legal consult immediately, in order to determine how best to communicate to the client regarding the need to terminate and to stop the threatening behaviour.

IN CONCLUSION

This article has discussed some of the issues that members should consider when terminating with clients before the clinical work has come to an end. While “forced terminations”²⁸ may not be ideal from the perspective of either members or their clients, the standards of practice provide valuable guidance in addressing these situations in a sound, ethical and professional manner.

21 Davis, Denise and Jeffrey N. Younggren “Ethical Competence in Psychotherapy Termination” *Professional Psychology: Research and Practice* 2009, Vol. 40, No. 6, 572-578, p. 572

22 *Ibid.*, p. 573

23 Code of Ethics and Standards of Practice Handbook, Second Edition 2008, Principle III: Responsibility to Clients, interpretation 3.9

24 Regehr, C. and K. Kanani *Essential Law for Social Work Practice in Canada*. Second Edition. Don Mills, ON: Oxford University Press, 2010, page 155. The “common law” refers to the law developed by judges on a case-by-case basis, through legal precedents or decisions, rather than requirements arising from statutes or legislation.

25 Practice Notes called “Meeting Professional Obligations and Protecting Clients’ Privacy: Disclosure of Information Without Consent”, from the Spring 2013 Perspective newsletter, can be found under the Resource Room tab on the College website at www.ocswssw.org.

26 Privacy Toolkit for Social Workers and Social Service Workers, Guide to the Personal Health Information Protection Act, 2004 (PHIPA), Ontario College of Social Workers and Social Service Workers, 2005, page 30

27 Code of Ethics and Standards of Practice Handbook, Second Edition 2008, Principle III: Responsibility to Clients, interpretation 3. 9

28 Pearson, p. 55

Online Elections Process – Gaining Steam and Numbers



For the second year in a row, the College's complete elections process was available online, including web access to the nomination package, candidate biographies and summaries. As we continue with the online elections process, we are seeing a rise in member interest and participation. The College prioritizes innovation, and the development of processes that are accessible and secure.

ELECTIONS RESULTS

The following are the results from the election of members of the College to the Council, which took place on May 29, 2014 in Electoral District 3.

SOCIAL SERVICE WORKERS:

As the number of candidates nominated for the following social service work category was equal to the number of candidates to be elected in that category, the following members of the College in the social service work category were elected by acclamation:

- Greg Clarke: Electoral District No. 3
- Judy Gardner: Electoral District No. 3

SOCIAL WORKERS:

The following members of the College are the candidates who received the greatest number of votes in the election in the social work category:

- Beatrice Traub-Werner: Electoral District No. 3
- Rose-Marie Fraser: Electoral District No. 3

The College thanks all members who stood for election and congratulates those members who will be serving on Council for the next three years.

The 2015 Online Election for Council members will begin in January, when eligible members will receive a "Call for Nomination".

If you have questions regarding the online election process, please contact Pat Lieberman, Manager, Council & Employee Relations at plieberman@ocswssw.org.

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 Jolinne Kearns, Communications Manager at jkearns@ocswssw.org. Although not all questions will be published in subsequent issues of *Perspective*, all will be answered.

Q: When I was renewing my membership for 2015, I realized that I did not complete all of my 2014 CCP learning goals. How do I answer question 3 in the Declaration of Participation in the Continuing Competence Program?

A: Every year, as part of your Annual Renewal of Registration, you are required to make a declaration concerning your participation in the Continuing Competence Program (CCP) in the previous year. It is expected that early in the year, you will have completed the CCP documents (the *Self-Assessment Tool and Professional Development Plan Documents*) by reviewing the standards of practice, conducting a self-assessment in relation to each of the 8 principles, setting goals based on your self-assessment, and identifying learning activities related to those goals. Throughout the year, as you engage in learning activities and meet your goals, you are required to track your progress and maintain evidence of having engaged in those learning activities.

The time required to achieve your goals may vary. How many goals you set is up to you, using your professional judgment. You may occasionally find that, due to your individual circumstances and other factors, you are unable

to fully complete the goals you set out earlier in the year. At times, you may decide to go back and revise them. While some goals will be met within a short period of time, others will take longer. From time-to-time, you may find that you need to carry one or more of your goals over from one year to the next. For those goals which require longer time frames to complete, you are advised to identify benchmarks or milestones that you expect to reach as part of these larger goals. If you consistently find that you are unable to meet your goals, you may wish to consider how you can set more realistic and achievable goals.

Question 3 on the Declaration of Participation in the Continuing Competence Program asks whether you have engaged in the learning activities identified in your Professional Development Plan and kept evidence regarding these activities. If you have worked toward your goals, carried out some or most of your learning activities (and retained evidence), then you would likely be in a position to answer "yes" to this question.

For further information on the CCP, please visit the CCP pages under the Professional Practice tab on the College website at www.ocswssw.org or contact the Professional Practice Department.

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, e-mailed 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**, 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 for our records. The information may be sent 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.

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 Monique Guibert at mguibert@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 mguibert@ocswssw.org. Please visit the College's website for the dates and times of upcoming 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 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.





Ontario College of
Social Workers and
Social Service Workers

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