



Ontario College of
Social Workers and
Social Service Workers

Ordre des travailleurs
sociaux et des techniciens
en travail social de l'Ontario

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Discipline Decision Summary

This summary of the Discipline Committee's Reasons for Decision, Decision and Order (dated June 10, 2010) is published pursuant to the Discipline Committee's penalty order.

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

Unprofessional Conduct

Member, RSW

AGREED STATEMENT OF FACT

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

1. In or about 1979, the Member received a Bachelor of Applied Arts in Social Services.
2. In January 2002, the Member registered as a member of the College, in the membership category of social worker, with the Member's educational qualifications shown as a Bachelor of Applied Arts in Social Services.
3. In February 2004, the Member completed and submitted the Member's Annual Renewal Form for 2004 to the College, in which the Member represented to the College that the Member's highest level of education attained was an MSW degree.
4. In January 2005, the Member completed and submitted the Member's Annual Renewal Form for 2005 to the College, in which the Member represented the Member's highest level of education attained as being an MSW degree.
5. In January 2006, the Member completed and submitted the Member's Annual Renewal Form for 2006 to the College, in which the Member represented the Member's highest level of education attained as being an MSW degree obtained from a named university, in 1999.
6. From in or about 2004 to in or about 2007, the Member used the designation "MSW" in e-mails, correspondence, reports and other documents prepared and/or signed by the Member in connection with the Member's employment.

7. At all times relevant to this matter, and in particular, from 2001 to 2008, the highest level of education attained by the Member was a Bachelor of Applied Arts in Social Services.
8. The Member has never been registered as a student at the named university and has never obtained an MSW degree from that university or any other university.

Allegations and Plea

The Member admitted all four allegations of professional misconduct. The Discipline Committee, after considering the Agreed Statement of Facts, found that the facts supported a finding of professional misconduct as alleged in the Notice of Hearing. The Discipline Committee found that the Member's conduct violated sections 2.15, 2.21, 2.36 and 2.2 of Ontario Regulation 384/00 (Professional Misconduct) and Principle II of the Handbook, as commented on in Interpretation 2.2.7 and 2.2.8, in that the Member

1. Inappropriately used a term, title or designation (and, in particular, the designation "MSW") in respect to the Member's practice.
2. Made record or issued or signed a certificate, report or other document in the course of practising the profession that the Member knew or ought reasonably to have known was false, misleading or otherwise improper when the Member issued or signed:
 - (a) College Registration Renewal Forms, indicating the Member's highest level of education attained was an MSW; and
 - (b) Reports, emails, correspondence or other documents in connection with the Member's employment, showing the designation "MSW" after the Member's name.
3. Engaged in conduct or performed an act relevant to the practice of the profession that, having regard to all the circumstances, would reasonably be regarded as unprofessional when the Member engaged in the above-described conduct and, in particular, misrepresented to the College and in connection with the Member's work that the Member held an MSW degree.
4. Misrepresented the Member's professional qualifications and education and engaged in conduct in the practice of social work which could reasonably be perceived as reflecting negatively on the profession of social work when the Member misrepresented to the College and in connection with the Member's employment that the Member held an MSW degree.

Penalty Order

The panel of the Discipline Committee accepted the Joint Submission as to Penalty submitted by the College and the Member, having concluded that the proposed penalty was reasonable and served to protect the public interest. The panel made the following order, in accordance with the terms of the Joint Submission as to Penalty:

1. The Registrar is directed to impose the following terms, conditions and limitations on the Members' certificate of registration:
 - a) The Member shall undertake to forthwith provide the Member's work place Clinical and Administrative Directors with a copy of the Agreed Statement of Fact and a copy of the Member's Plea and to provide the Member's work place Clinical and Administrative Directors with a copy of the Discipline Committee's Reasons for Decision, Decision and Order upon the Member's receipt thereof; and
 - b) The Member shall provide to the Registrar confirmation of the fulfillment of the Member's undertaking in a form satisfactory to the Registrar.
2. The Member shall be reprimanded by the Discipline Committee and the fact of the Reprimand shall be recorded on the College's Register.
3. The Discipline Committee's finding and order, or a summary thereof, shall be published without information that would indentify the Member in the official publication of the College and on the College's website, and the results of the hearing shall be recorded on the Register.

As part of its penalty order the panel of the Discipline Committee ordered the Member to attend before it and receive an oral reprimand to impress upon the Member the seriousness of the misconduct in which the Member had engaged.