



On June 9, 2022 allegations of the Member's professional misconduct were referred to the Discipline Committee for hearing, on a date yet to be fixed. Please see the Notice of Hearing below:

**ONTARIO COLLEGE OF SOCIAL WORKERS
AND SOCIAL SERVICE WORKERS**

IN THE MATTER OF Sections 26 and 28 of the *Social Work and Social Service Work Act*, 1998, S.O. 1998, Chapter 31;

AND IN THE MATTER OF a hearing directed to be held by the Discipline Committee of the Ontario College of Social Workers and Social Service Workers under the *Social Work and Social Service Work Act*, 1998;

AND IN THE MATTER OF allegations respecting the professional conduct of **Alexandra Elizabeth Michelle Burden**, a Social Worker and member of the said College;

NOTICE OF HEARING

TAKE NOTICE that a hearing will take place on a date to be fixed by the Registrar at the hour of 9:30 o'clock in the forenoon (or as soon after that time as a panel can be convened for the purpose of conducting the hearing) at the Board Room of the Ontario College of Social Workers and Social Service Workers, 250 Bloor Street East, Suite 1000, Toronto, Ontario before the Discipline Committee of the Ontario College of Social Workers and Social Service Workers. The hearing will be held pursuant to the provisions of sections 26 and 28 of the *Social Work and Social Service Work Act, 1998* (the "Act") and pursuant to the Regulations made thereunder, for the purpose of hearing and determining allegations of professional misconduct against you, Alexandra Elizabeth Michelle Burden, which allegations were referred to the Discipline Committee pursuant to section 25(1) of the Act.

AND TAKE NOTICE that you are alleged to be guilty of professional misconduct within the meaning of section 26(2) of the Act in that you are alleged to have engaged in conduct that contravenes the Act, Ontario Regulation 384/00 (the

“Professional Misconduct Regulation”), Schedule “A” to By-law No. 66 of the Ontario College of Social Workers and Social Service Workers, being the Ontario College of Social Workers and Social Service Workers Code of Ethics (the "**Code of Ethics**"), and Schedule “B” to By-law No. 66 of the Ontario College of Social Workers and Social Service Workers, being the Ontario College of Social Workers and Social Service Workers Standards of Practice Handbook (the "**Handbook**")¹.

I. **The following are particulars of the said allegations:**

1. You are, and were at all times relevant to these allegations, a registered social worker with the Ontario College of Social Workers and Social Service Workers (the “**College**”).
2. At all material times, you were practising social work in Kitchener, Ontario, at House of Friendship.
3. At all material times, you worked as a Housing Support Worker and/or Life Skills & Community Worker. Your role as a Housing Support Worker was to provide support and assist clients to maintain housing and develop a sense of home and belonging. Your role as a Life Skills & Community Worker was to support clients’ inclusion and participation in the broader community.
4. On or about May 28, 2020, you began providing social work services to [the Client] (the “**Client**”).
5. The Client was a vulnerable person who had sought assistance from you with respect to housing, employment, substance misuse and mental health issues.
6. As you were aware from the outset of the professional relationship, the Client struggled with a recent history of homelessness and substance misuse.

¹ By-law 24, as amended by By-law Nos. 32 and 48 and revoked effective July 1, 2008 by By-law 66, continues to apply to conduct which occurred prior to July 1, 2008.

7. During the period from approximately May 28, 2020 to December 3, 2020 you interacted with the Client either in person, and/or by text, email, or phone on at least 73 separate dates.
8. From approximately August 3, 2020 to December 8, 2020, you exchanged text messages with the Client which included extensive self-disclosure and dealt with topics of a personal nature.
9. As your interactions with the Client progressed, the Client began to experience personal and/or romantic feelings for you and the Client expressed those feelings to you by text message and/or in person. On approximately two occasions, the Client told you that he loved you and/or that he had feelings for you or words to that effect.
10. On or about December 8, 2020, your employer removed the Client from your caseload due to concerns with respect to boundary violations.
11. You were terminated by House of Friendship on December 6, 2021.
12. During the professional relationship with the Client, you engaged in a series of boundary crossing and/or boundary violation behaviours relating to the Client, in that you:
 - (a) attended the Client's apartment at [redacted] (where you worked), on a regular basis to socialize and/or spend time with the Client;
 - (b) saw the Client for extended periods of time during and/or outside of formal work hours;
 - (c) gave gifts to the Client including by purchasing cannabis or similar substances for the Client on at least one occasion and/or giving the Client money so that he could purchase cannabis or similar substances;
 - (d) accepted favours from the Client;

- (e) exchanged texts with the Client of a personal nature, examples of which include:
- i. “Need any more money?”
 - ii. “Don’t you have any change or bottles you could take back to get some?”
 - iii. “Did you get weed?”
 - iv. “Hey I hope your night goes well. Sorry I wasn't the most helpful, I'm going to go home and sit in front of my happy light and hope the depression is sucked out of me by tomorrow”;
 - v. “Man I need something that works, other than therapy because that’s too expensive lol”;
 - vi. “I am so sorry about last night. I should have just said I had a bad day...Like really bad... and that we'd talk tomorrow when I was ok. Honestly you know I've got your back regardless of any decisions you make and am here to support. I was upset last night and it had nothing to do with you so again I'm so sorry about that”;
 - vii. [responding to reassurances from the Client] “Sir, I was not, but I appreciate your understanding lol. I’m gonna do better. I would not have reacted at all like that if other people hadn’t annoyed me all day lol.”
 - viii. “Lol even if they did switch me you'd be allowed to still talk to me you don't have to go completely off the map lol...” [to which the Client responded] “Obviously I'd still talk to you, just not anyone else. There'd be no point...”; and/or

- ix. “That’s me. Unqualified but doing my best hahaha All of us really lol” [to which the Client responded] “That’s bull. You’re the best they’ll ever have!” [to which the Member responded] “Lol no no all of us are unqualified for everything we just do our best haha”;
 - (f) disclosed personal details to the Client, including information related to your health and/or personal concerns about your employment situation;
 - (g) disclosed information about the workplace and/or your colleagues to the Client;
 - (h) advised the Client that you were still advocating to continue to provide services to the Client, notwithstanding that:
 - i. the Client had told you that he loved you, had feelings for you, or words to that effect; and/or
 - ii. your supervisor had advised you of her concerns with respect to your boundaries with the Client.
 - (i) failed to maintain awareness of your own emotional needs and/or reactions to the Client; and/or
 - (j) failed to seek timely supervision with respect to the increasing amount of time spent with the Client, and your communications with the Client.
13. During the professional relationship with the Client, you practised and provided social work services while in a conflict of interest, in that you failed to adequately address the Client’s disclosure that he loved you or had feelings for you, or words to that effect. Instead, you continued to engage in text exchanges with the Client that were highly personal.

14. During the professional relationship with the Client, you failed to document the full extent of your interactions with the Client, including the amount of time you spent with the Client during in-person meetings and/or the content, duration and/or timing of your communications with the Client, including (but not limited to) communications by text message.

II. It is alleged that by reason of engaging in some or all of the conduct outlined above, you are guilty of professional misconduct as set out in section 26(2)(a) and (c) of the Act:

- (a) violation of section 2.2 of the Professional Misconduct Regulation and Principle I of the Handbook (as commented on in Interpretations 1.5, 1.6 and 1.7) by failing to maintain awareness of your own values, attitudes and needs and how these impact your professional relationship with your client; by failing to distinguish your needs and interests from those of your client to ensure that your client's needs and interests remain paramount; by failing to maintain an awareness of and consideration of the purpose, mandate and function of your employment organization and how these impact on and limit your professional relationship with your client;
- (b) violation of sections 2.2 and 2.10 of the Professional Misconduct Regulation and Principle II of the Handbook (as commented on in Interpretations 2.1.5, 2.2, 2.2.1, 2.2.6 and 2.2.8) and Interpretations 8.4 and 8.4.1 by failing to engage in the process of self-review and evaluation of your practice and seek consultation when appropriate; by failing to establish and maintain clear and appropriate boundaries in professional relationships for the protection of your client; by engaging in a professional relationship that constituted a conflict of interest or in situations in which you ought reasonably to have known that the client would be at risk in any way; by failing to avoid conflicts of interest and/or dual relationships with your client that could impair your professional judgment or increase the risk of exploitation or harm to your client; by engaging in the practice of social work while under the influence of any substance, or while suffering from illness or dysfunction, which you knew or ought to have known impaired your ability

to practise; by engaging in conduct in the practice of social work which could reasonably be perceived as reflecting negatively on the profession of social work; by failing to clearly state to your client that his behaviour was inappropriate by virtue of the professional relationship when your client initiated behaviour of a sexual nature; by failing to terminate the relationship with your client when the overtures or provocative sexual behaviour by the client towards you became intrusive to the professional relationship;

- (c) violation of section 2.2 and 2.9 of the Professional Misconduct Regulation and Principle III of the Handbook (as commented on in Interpretations 3.7 and 3.8) by failing to assume full responsibility for demonstrating that your client had not been exploited, coerced or manipulated intentionally or unintentionally where a personal relationship occurred with your client; by providing a service that you knew or ought reasonably to have known was not likely to benefit your client;
- (d) violation of section 2.2 and 2.20 of the Professional Misconduct Regulation and Principle IV of the Handbook (as commented on in Interpretation 4.1.1) by failing to record information in a manner that conforms with accepted service or intervention standards and protocols within the profession of social work, relevant to the services provided, and/or in a format that facilitates the monitoring and evaluation of the effects of the service/intervention, when you failed to fully and accurately document in the social work record your communications and interactions with your client;
- (e) violation of section 2.28 of the Professional Misconduct Regulation by contravening the Act or regulations or by-laws;
- (f) violation of Section 2.36 of the Professional Misconduct Regulation by engaging in conduct or performing an act relevant to the practice of the profession that, having regard to all circumstances, would reasonably be regarded by members as disgraceful, dishonourable or unprofessional.

AND TAKE NOTICE that the Discipline Committee may make an order under Section 26(4), (5), (6), (7), (8) and (9) of the Act, or any of them, in respect of any or all of the above allegations.

AND FURTHER TAKE NOTICE that the parties (including the College and you) shall be given the opportunity to examine before the hearing any documents that will be given in evidence at the hearing.

AND FURTHER TAKE NOTICE that at the said hearing, you are entitled to be present and to be represented by counsel.

IF YOU DO NOT ATTEND AT THE HEARING IN ACCORDANCE WITH THIS NOTICE OF HEARING, THE DISCIPLINE COMMITTEE MAY PROCEED WITH THE HEARING, AND MAY DEAL WITH THE ABOVE ALLEGATIONS AGAINST YOU, IN YOUR ABSENCE AND WITHOUT ANY FURTHER NOTICE TO YOU.

Dated at Toronto, the 16th day of June, 2022.

By: _____
Registrar and CEO
Ontario College of Social Workers and Social Service Workers