



On January 24, 2024 allegations of the Registrant'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 Sean McQuarrie, a Social Service Worker and registrant with 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) electronically, in writing or in person 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 (to be confirmed). 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, Sean McQuarrie, 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 graduated from George Brown College in 2004 and were first registered with the Ontario College of Social Workers and Social Service Workers (the “College”) on April 3, 2013.
2. Between October 22, 2018, and August 10, 2023, you were employed and practising at ADAPT, Halton Alcohol, Drug and Gambling Assessment, Prevention and Treatment Services (“ADAPT”) as a Concurrent Disorders Counsellor.
3. On or about June 1, 2021, you were assigned to provide counseling service to “X.X” (“the “Client” or “X.X.”). You provided counselling services until the Client completed treatment in or around July 8, 2022.
4. During this period, you provided individual counselling to “X.X” at a frequency of approximately once a week.
5. “X.X” was a vulnerable client who had sought assistance from you, including with respect to substance use and/or addiction issues.
6. During the professional relationship, you failed to maintain appropriate boundaries with the Client, including by:
 - a. sharing details of your personal life with “X.X”
 - b. engaging in counselling sessions in informal locations, such as parks;

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.

- c. suggesting to the Client attend a particular location for group treatment meetings, and attending those same meetings at the same location;
 - d. forming a personal friendship with “X.X”
- 7. From in or around March 2023 to in or around May 2023, less than 8 months after your last counselling session with “X.X”, you engaged in a personal and sexual relationship with her, including exchanging romantic and/or sexually explicit messages and engaging in sexual intercourse.
- 8. On August 10, 2023, your employment with ADAPT was terminated due to having a personal/intimate relationship with the Client.

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. In that you violated **Section 2.2 and 2.28 of the Professional Misconduct Regulation and Principle I of the Handbook (as commented on in Interpretations 1.5, 1.6 and 1.7)** by:
 - i. failing to be aware of your values, attitudes and needs and how these impact on your professional relationships with clients; and/or
 - ii. failing to distinguish your needs and interests from those of your clients to ensure that, within professional relationships, clients’ needs and interests remain paramount;
 - iii. failing to maintain an awareness and consideration of the purpose, mandate and function of those organizations and how these impact on and limit professional relationships.
- b. In that you violated **Sections 2.2, 2.6 and 2.10 of the Professional Misconduct Regulation and Principle II of the Handbook (commented on in Interpretations 2.2, 2.2.1, 2.2.2. and 2.2.3, and 2.2.8)** by:
 - i. failing to ensure clients are protected from an abuse of power, including sexual misconduct, during and after the

provision of professional services and/or failing to establish and maintain clear and appropriate boundaries in a professional relationship;

- ii. engaging in a professional relationship that constitutes a conflict of interest and/or in a situation in which you ought reasonably to have known that the client or former client would be at risk; failing to evaluate professional relationships and other situations involving clients or former clients for potential conflicts of interest; failing to avoid conflicts of interest and/or dual relationship with clients that could impair your professional judgment or increase risk of exploitation or harm to clients;
 - iii. engaging in sexual relations with a client or former client, through sexual intercourse, touching of a sexual nature and/or behaviour or remarks of a sexual nature, where these relations, combined with the professional relationship, would create a conflict of interest;
 - iv. using information obtained in the course of a professional relationship, and using the Member's professional position of authority, to coerce, improperly influence, harass, abuse or exploit a client, former client;
 - v. engaging in conduct that could reasonably be perceived as reflecting negatively on the profession of social service work.
- c. In that you violated **Sections 2.2 and 2.10 of the Professional Misconduct Regulation and Principle III of the Handbook (commented on in Interpretation 3.7)** by failing to assume full responsibility for demonstrating that your client has not been exploited, coerced or manipulated intentionally or unintentionally where a personal relationship occurs with the client.
- d. In that you violated **Sections 2.2, of the Professional Misconduct Regulation and Principle VIII of the Handbook (as commented on in Interpretations 8.1, 8.3, and 8.7)** by:
- i. failing to ensure that sexual misconduct did not occur;

- ii. by developing sexual feelings towards your client that could, in your judgment, put the client at risk, and failing to seek consultation/supervision or develop an appropriate plan; and
 - iii. by engaging in sexual relations, including with your client to whom you provided counselling services, following the termination of the professional relationship.
- e. In that you violated **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 if the hearing is proposed to take place in writing, either of the parties (including the College and you) may, in accordance with the procedures set out in the *Statutory Powers Procedure Act*, RSO 1990, c S.22 (the “SPPA”) and the Discipline Committee’s Rules of Procedure, seek to require that the hearing be held electronically or orally by satisfying the Discipline Committee that there is good reason for not holding a written hearing.

AND FURTHER TAKE NOTICE that if the hearing is proposed to take place electronically, either of the parties (including the College and you) may, in accordance with the procedures set out in the SPPA and the Discipline Committee’s Rules of Procedure, seek to require that the hearing be held orally by satisfying the Discipline Committee that holding an electronic hearing is likely to cause the party significant prejudice.

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 2nd day of February 2024.

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