



On November 17, 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 Patrick Sweet, a Social Service 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, Patrick Sweet, 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.

The following are particulars of the said allegations:

1. Now and at all times relevant to the allegations, you were a registered social service worker with the Ontario College of Social Workers and Social Service Workers (the "**College**"). At all relevant times, you provided social service work services to clients through your employment at Northumberland Hills Hospital - Community Mental Health Services.
2. From time to time between October 2020 and March 2021, inclusive, you provided social service work services to client C1 through the outreach housing support program at Northumberland Hill Hospital - Community Mental Health Services. The services you provided to C1 during that time included, among other things, performing suicide assessments and assisting with and monitoring activities of daily living. C1 was a vulnerable client.
3. You last provided C1 with social service work services on or about March 29, 2021, after which C1 relocated to a different region of Ontario. You had ongoing professional obligations in relation to C1 notwithstanding that you were no longer actively providing her with social service work services.
4. Between April and October 2021, you violated professional boundaries and/or engaged in behaviour or remarks of a sexual nature towards C1 that were not of a clinical nature appropriate to the service provided. In particular, you:
 - (a) Initiated contact with C1 on the Facebook Messenger platform and requested that she become your Facebook "friend";
 - (b) Failed to establish or maintain clear and appropriate boundaries in your personal communications with C1;

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) Indicated to C1 that you wished to continue messaging her and put the onus on her to tell you to stop;
 - (d) Initiated conversations with C1 over Facebook Messenger on at least four occasions;
 - (e) Exchanged Facebook Messenger messages with C1 that were personal, flirtatious, and/or unprofessional in nature. Examples of these personal and/or unprofessional messages include, but are not limited to:
 - (i) Telling C1 that you really enjoyed being around her, that it was always good to see her, and that you missed seeing her;
 - (ii) Asking C1 on three different occasions what she had been doing “for fun”; and
 - (iii) Asking C1 if she had been dating.
 - (f) On or about October 25, 2021, asked C1 if she would like to go out with you sometime.
5. On or about October 27, 2021, C1 disclosed your Facebook Messenger communications to a registered social worker who was providing C1 with social work services. The registered social worker reported your conduct to the College in accordance with their professional obligations.
6. C1 looked up to you as a result of the social service work services that you provided to her. Your conduct harmed C1 and made her feel uncomfortable.

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 of the Professional Misconduct Regulation** by failing to meet the standards of the profession and in particular:
 - (i) **Principle I of the Handbook (commented on in Interpretations 1.5 and 1.6)** by failing to be aware of your values, attitudes and needs and how those impact on your professional relationship with clients; by failing to distinguish your needs and interests from those of your clients to ensure that, within your

professional relationship, clients' needs and interests remained paramount.

(ii) Principle II of the Handbook (commented on in Interpretations 2.2, 2.2.1, 2.2.2, 2.2.3, and 2.2.8) by:

- (A) failing to ensure clients are protected from an abuse of power, including sexual misconduct, after the provision of professional services and/or failing to establish and maintain clear and appropriate boundaries in a professional relationship;
- (B) 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 or former clients that could impair your professional judgment or increase risk of exploitation or harm to clients or former clients;
- (C) engaging in sexual relations with a client or former client, through behaviour or remarks of a sexual nature other than behaviour or remarks of a clinical nature appropriate to the service provided, where these relations, combined with the professional relationship, would create a conflict of interest;
- (D) using information obtained in the course of a professional relationship and/or using your professional position of authority, to improperly influence, harass, abuse or exploit a client or former client; and
- (E) engaging in conduct that could reasonably be perceived as reflecting negatively on the profession of social service work;

(iii) Principle III of the Handbook (commented on in Interpretations 3.7) by:

- (A) by failing, in the context of a personal relationship with a client or former client, to assume full responsibility

for demonstrating that the client or former client was not exploited, coerced or manipulated, intentionally or unintentionally;

(iv) **Principle VIII of the Handbook (commented on in Interpretations 8.1 and 8.8) by:**

(A) failing to ensure that sexual misconduct does not occur;
and

(B) engaging in sexual relations with a client to whom you provided social services work within one year following termination of the professional relationship, through behaviour or remarks of a sexual nature other than behaviour or remarks of a clinical nature appropriate to the service provided;

(b) In that you violated **Section 2.6 of the Professional Misconduct Regulation** by using information obtained during a professional relationship with a client or using your professional position of authority to coerce, improperly influence, harass, or exploit a client or former client; and/or

(c) 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 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 23rd day of November 2022.

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