



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.

The following is an excerpt from a recently received letter in which a College member describes her experience of the College's complaints/mandatory report process:

Thank you for your letter (decision)...I would like to notify the College that I have had an opportunity to review your analysis, and to seriously reflect upon the Executive Committee's comments. Over the past few months I have reviewed the College's Standards of Practice with particular focus on those standards which were relevant to the issues reported. I have also completed a review and reflection of the associated College Practice Notes. Thank you for your recommendations with a view to continuous practice improvement.

I would also like to take this opportunity to comment on my experience.... Firstly, I had the opportunity to present my case fully and fairly, and have a decision affecting my rights, interest and privileges made using a fair, impartial and open process, appropriate to the statutory, institutional and context of the decision. This process also highlighted for me the intent of the Continuing Competence Program and the importance of completion of the Self-Assessment Tool and Professional Development Plan Documents. This tool, I believe, is critical given the nature of the work we do and the competing values, and interests we are faced with balancing on a daily basis...

I also wish to thank [College staff] for... professionalism and assistance throughout this matter.

Regards,
"College Member, RSW"

Q: I have been asked by my employer to provide service to a client in another province, using Skype. Can the College offer any guidance on this issue?

A: The Ontario College of Social Workers and Social Service Workers ("The College") is responsible for regulating the

practice of social work and social service work and for governing its members. The provision of professional services by College members to clients outside of Ontario, by means of Skype, may raise a number of difficult legal and jurisdictional issues, particularly if there is more than one regulatory regime which may have application to the services provided. It is beyond the scope of this answer to offer any legal analysis or opinions about these issues. The focus of this answer is simply to highlight various practice concerns which should be addressed by members who are considering providing this type of service.

While the College's Standards of Practice do not specifically mention the provision of services by Skype (either to clients within or outside of Ontario), the Standards of Practice are generally applicable to the full range of members' social work and social service work practice, in a variety of contexts. The *Social Work and Social Service Work Act* and regulations do not expressly restrict the application of the legislation to services supplied by members to clients within Ontario. To date, there is no guidance from the College's Discipline Committee concerning the issue. In these circumstances, the course of caution is for College members to assume that the College's legislation and Standards of Practice apply to services supplied via Skype to clients outside of Ontario and to ensure that the services are performed in a manner that complies with them. The College advises members considering electronic practice with clients outside Ontario to contact the regulatory body in the jurisdiction where the client is located, in order to determine the registration or licensure requirements there. Members are also strongly advised to contact their liability insurance provider, and to seek a legal opinion. There are a number of other important issues for members to consider prior to engaging in electronic practice. These include, but are not limited to: confidentiality (Skype is not a secure form of communication), competence and crisis management. Members may also find the *Practice Notes on Social Media* and the *Practice Notes on Communication Technology and Ethical Practice* relevant. Both are available in the Resource Room on the College website at www.ocswssw.org.