

THE MATTER OF THE HEALTH PROFESSIONS ACT, R.S.A.  
2000, c.H-7;

AND IN THE MATTER OF A HEARING INTO THE CONDUCT  
OF [REDACTED] A MEMBER OF THE ALBERTA  
COLLEGE OF SOCIAL WORKERS;

AND INTO THE MATTER OF A COMPLAINT BY [REDACTED]  
[REDACTED], INTO THE CONDUCT OF  
[REDACTED] PURSUANT TO S. 77(a) OF THE HEALTH  
PROFESSIONS ACT

### REASONS FOR DECISION

Pursuant to a public hearing held on August 30, 2016 at the Calgary offices of Parlee McLaws LLP, 3300 TD Canada Trust Tower, 421-7 Avenue SW, the Alberta College of Social Workers Hearing Tribunal is issuing its Reasons for Decision.

A hearing into the conduct of [REDACTED] was held on August 30, 2016 pursuant to the *Health Professions Act*, R.S.A. 2000, c.H-7 as amended (the "Act").

The members of the Hearing Tribunal were:

Chair: Brian Guthrie Ph D, RSW, Member of Clinical Registry  
Tribunal Member: Joyce Crandall RSW  
Tribunal Member: Neil Thompson RSW  
Public Member: Dr Geoff Tagg

The hearing was a public hearing pursuant to s. 78 of the Act.

### CONSENT ORDER

The investigated member, [REDACTED], provided a written Admission of Unprofessional Conduct to the Hearing Tribunal dated August 30, 2016 pursuant to s. 70(1) of the Act.

The Hearing Tribunal accepts all of the admissions of the investigated member.

The allegations in the Notice of Hearing arise from a complaint from [REDACTED]  
[REDACTED]

The allegations in the Notice of Hearing are as follows:

1. That [REDACTED] failed to renew her practice permit for the period subsequent to May 2015.
2. That [REDACTED] continued to work as a social worker, in a restricted scope of practice, when she was not licensed to do so,
3. [REDACTED] failed to be candid with her employer with respect to the status of her practice permit and her efforts to renew.

The Hearing Tribunal made decisions on motions as follows:

1. Findings of unprofessional conduct on the part of [REDACTED]
  - That [REDACTED] failed to renew her practice permit for the period subsequent to May 2015.
  - That [REDACTED] continued to work as a social worker, in a restricted scope of practice, when she was not licensed to do so.
  - [REDACTED] failed to be candid with her employer with respect to the status of her practice permit and her efforts to renew.

1 Acknowledgement of unprofessional conduct:

[REDACTED] Admission of Unprofessional Conduct August 30, 2016, wherein, she acknowledged that she:

- Failed to renew your practice permit for the period subsequent to May 2015.
- Continued to work as a social worker, in a restricted scope of practice, when you were not licensed to do so.
- Failed to be candid with your employer with respect to the status of your practice permit and your efforts to renew.

Consent Order, August 30, 2016, wherein, [REDACTED] acknowledged that she:

- Failed to renew your practice permit for the period subsequent to May 2015.
- Continued to work as a social worker, in a restricted scope of practice, when you were not licensed to do so.
- Failed to be candid with your employer with respect to the status of your practice permit and your efforts to renew.

No witnesses presented evidence to the Hearing Tribunal

The following documents were accepted as Exhibits at the Hearing:

*1. Investigators Report Complaint #15.64*

*2. Admission of Unprofessional Conduct August 30, 2016 signed by [REDACTED]*

*3. Consent Order of August 30, 2016 signed by [REDACTED]*

General findings of fact:

- That ██████████ failed to renew her practice permit for the period subsequent to May 2015.
- That ██████████ continued to work as a social worker, in a restricted scope of practice, when she was not licensed to do so.
- ██████████ failed to be candid with her employer with respect to the status of her practice permit and her efforts to renew.

The Hearing Tribunal accepts ██████████ Admission of Unprofessional Conduct, wherein, she acknowledged that:

- She failed to renew her practice permit for the period subsequent to May 2015.
- She continued to work as a social worker, in a restricted scope of practice, when she was not licensed to do so.
- She failed to be candid with her employer with respect to the status of her practice permit and her efforts to renew.

Such conduct contravenes s. B.1(a)(c) of the Standards of Practice 2013, Value 4 of the Code of Ethics 2005 and constitutes unprofessional conduct pursuant to s. 1(1)(pp)(i)(ii) and (xi) of the *Health Professions Act*.

As a result of the findings of the Hearing Tribunal with respect to the Admission of Unprofessional Conduct, the Hearing Tribunal makes the following orders in accordance with s. 82 of the Act.

Order as to sanctions:

1. A Reprimand shall be issued against ██████████
2. ██████████ social work practice shall be subject to supervision for a period of one (1) year from the date of her return to the practice of social work, the costs of which shall be the responsibility of ██████████. The supervisor may be within or outside the context of ██████████ employment. The supervisor shall be approved by the ACSW and the ACSW shall be entitled to such reporting and disclosure from the supervisor as the ACSW deems necessary from time to time.
3. ██████████ shall successfully complete an additional ten (10) hours of continuing education in the area of ethics and professional accountability at her own cost and to be approved by the Complaints Director within one (1) year of return to the practice of social work.
4. ██████████ shall be obliged to undertake consultations with a senior social work practitioner within one (1) year from the date of her return to the practice of social work. There shall be two (2) consultations within a one (1) year period. The cost of these consultations will be the



responsibility of [REDACTED]. The ACSW shall be entitled to any such reporting as it deems necessary from time to time.

5. [REDACTED] shall pay costs of this matter in the sum of \$500.00 within (2) years of the date of this order.
6. The Complaints Director shall maintain the discretion to suspend [REDACTED] pending a Hearing should the Complaints Director in his/her sole discretion conclude that [REDACTED] has breached this Order.
7. This Order shall be published on a "no names" basis.

The Hearing Tribunal makes its orders as set out above on the basis of the following reasons:

1. A Reprimand shall be issued against [REDACTED]
  - [REDACTED] admissions of unprofessional conduct contravenes s. B.1(a)(c) of the Standards of Practice 2013, Value 4 of the Code of Ethics 2005 and constitutes unprofessional conduct pursuant to s. 1(1)(pp)(i)(ii) and (xi) of the *Health Professions Act*. This contravention of ethical social work practice warrants a Reprimand being placed on [REDACTED] ACSW file.
  - The Reprimand serves as a deterrent, maintains the integrity of the profession and provides protection of the public. It satisfies the "fairness test" when compared to sanctions imposed on other members for similar unprofessional conduct,
2. [REDACTED] social work practice shall be subject to supervision for a period of one (1) year from the date of her return to the practice of social work, the costs of which shall be the responsibility [REDACTED]. The supervisor may be within or outside the context of [REDACTED] employment. The supervisor shall be approved by the ACSW and the ACSW shall be entitled to such reporting and disclosure from the supervisor as the ACSW deems necessary from time to time.
  - Given [REDACTED] acknowledgement that she demonstrated poor judgment in not renewing her practice permit and continuing to practice, in a restricted scope of practice, when she was not licensed to do so, supervision will provide her with guidance in her future practice, provide a mechanism to review her practice to ensure that it is within the social work Standards of Practice and the Social Work Code of Ethics, Supervision will provide a mechanism to monitor her practice and demonstrate to clients and the public that the ACSW will ensure members adhere to the Standards of Practice and the Social Work Code of Ethics for the protection of the Public.
  - Supervision will provide [REDACTED] with support in enhancing her social work practice. It is considered rehabilitative in assisting [REDACTED] to resume a competent, ethically sound social work practice.
  - Supervision protects the public and ensures an accountable social work practice.
3. [REDACTED] shall successfully complete an additional ten (10) hours of continuing education in the area of ethics and professional accountability at her own cost and to be approved by the Complaints Director within one (1) year of return to the practice of social work.

- The successful completion of an ethics and professional accountability course will support [REDACTED] in future ethical decisions regarding practice as a social worker. It adds to the rehabilitative requirements of these sanctions. In addition, it provides protection of the public and the integrity of the Social Work profession by ensuring adherence to the Social Work Code of Ethics to the public.

4. [REDACTED] shall be obliged to undertake consultations with a senior social work practitioner within one (1) year from the date of her return to the practice of social work. There shall be two (2) consultations within a one (1) year period. The cost of these consultations will be the responsibility of [REDACTED]. The ACSW shall be entitled to any such reporting as it deems necessary from time to time.

- This sanction serves the purpose of providing [REDACTED] with a rehabilitative process through consultation with a senior social work practitioner who can assist her in balancing her professional responsibilities as a social worker with her own wellness. [REDACTED] ability to manage her own life stresses and wellness is in the best interest of herself and the public.

[REDACTED] shall pay costs of this matter in the sum of \$500.00 within (2) years of the date of this Order.

- This sanction acts as a deterrent to both [REDACTED] and other members of the profession that registered social workers are accountable to the ACSW and each other and the public.

6. The Complaints Director shall maintain the discretion to suspend [REDACTED] pending a Hearing should the Complaints Director in his/her sole discretion conclude that [REDACTED] has breached this Order.

- This sanction is in the public interest and maintains the integrity of the profession and serves as a deterrent.

7. This order shall be published on a "no names" basis.

- This sanction serves as a deterrent for [REDACTED] and other members of the profession, in addition, it also maintains the fairness and integrity of the profession.
- This Sanction serves the purpose of ensuring the public of transparency in the discipline of ACSW members,

The Hearing Tribunal acknowledges that [REDACTED] accepted full responsibility for her actions and that she demonstrated reflection and insight into herself and her future practice decisions. The Hearing Tribunal also acknowledges that [REDACTED] was under personal stress during the period of time where she chose not to renew her practice permit and made the decision to continue to work as a social worker, in a restricted scope of practice, when she was not licensed to do so.

On Behalf of the Hearing Tribunal September 26, 2016,

A handwritten signature in black ink that reads "Brian Guthrie". The signature is written in a cursive, flowing style.

Chair: Brian Guthrie Ph D, RSW, Member of Clinical Registry  
Tribunal Member: Joyce Crandall RSW  
Tribunal Member: Neil Thompson RSW  
Public Member: Dr Geoff Tagg

