

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 *DANA WEBB* A MEMBER OF THE ALBERTA COLLEGE OF
SOCIAL WORKERS;

AND INTO THE MATTER OF A COMPLAINT INTO THE
CONDUCT OF *DANA WEBB* PURSUANT TO S. 77(a) OF THE
HEALTH PROFESSIONS ACT

REASONS FOR DECISION

Pursuant to a public hearing held on *Wednesday January 15, 2020* at the *Parlee McLaws LLP* offices in *Edmonton*, the Alberta College of Social Workers Hearing Tribunal is issuing its reasons for decision.

A hearing into the conduct of *Dana Webb* was held on January 15, 2020 pursuant to the *Health Professions Act*, R.S.A. 2000, c.H-7 as amended (the “Act”). It proceeded as a Consent Hearing with an admission of unprofessional conduct and sanctions.

The members of the Hearing Tribunal were:

- *Sue Mallon RSW, Chair*
- *Glenn Lantz RSW*
- *June MacGregor, Public Member*

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

The investigated member, *Dana Webb*, provided a written admission of unprofessional conduct to the Hearing Tribunal dated *January 8, 2020* pursuant to s. 70(1) of the Act. The Hearing Tribunal accepted the admission.

The allegations in the Notice of Hearing arise from a Reggie Jackson following a self admission of unprofessional conduct by *Dana Webb*, dated *June 4, 2019*.

The allegations in the Notice of Hearing are as follows:

1. That Ms. Webb engaged in a sexual and or a romantic relationship with a former client.

Such conduct contravenes s.F,7 of the Standards of Practice 2, Value 4 of the Code of Ethics 2005 and constitutes unprofessional conduct pursuant to s. 1(1)(pp)(i)(ii) and (xii) of the Health Professions Act.

The hearing proceeded on *January 15, 2020*.

The Hearing Tribunal made the following motion:

- That the Tribunal accept into evidence the six exhibits presented by Counsel for ACSW, Karen Smith.
- That the Tribunal accept all of Ms. Webb's acknowledged facts as related to her unprofessional conduct.
- That the Tribunal accept the proposed Consent agreement with amendments.

The Hearing Tribunal heard from the following witnesses at the Hearing:

- No witnesses were called.

The following documents were accepted as Exhibits at the Hearing:

1. Declaration Provided to all Individuals
2. Complaint form filed by Reggie Jackson
3. Appointment of Investigator by Complaints Director Sheryl Pearson from ACSW.
4. Acknowledgement of Complaint from Sheryl Pearson, Complaint Director to Reggie Jackson, Complainant, and appointment of Investigator.
5. Admission of Unprofessional Conduct by Ms. Dana Webb
6. Proposed Consent Agreement.

GENERAL FINDINGS OF FACT

The following facts were agreed upon facts:

1. Ms. Webb has been a registered Social Worker with Alberta College of Social Workers (ACSW) since 2012.
2. At all material times, Ms. Webb was employed with Alberta Health Services (AHS) St Paul addictions.
3. Ms. Webb counselled a client during the period of July 2018 until November 29th 2018, when the client was transferred to a new addictions counsellor.
4. Ms. Webb engaged in a sexual and or romantic relationship with the former client commencing March 2019.
5. Ms. Webb's employment with AHS was terminated on June 3, 2019.

The Tribunal accepted all the six exhibits as information at this hearing.

On the one allegation 'that Ms. Webb engaged in a sexual and/or romantic relationship with a former client' the tribunal found that Ms. Webb was guilty of unprofessional conduct and as such violated the Standards of Practice and the Code of Ethics of ACSW.

Ms. Webb freely and openly admitted to the unprofessional conduct.

It was determined that Ms. Webb's admission *conduct contravenes s.F,7 of the Standards of Practice 2, Value 4 of the Code of Ethics 2005 and constitutes unprofessional conduct pursuant to s. 1(1)(pp)(i)(ii) and (xii) of the Health Professions Act.*

As social workers hold a position of trust with their clients, the related Acts and Standards offer protection to ensure that clients in a vulnerable position are not exploited by social worker. This is a standard expectation for most professionals.

DECISION ON SANCTIONS

As a result of the findings of the Hearing Tribunal with respect to allegations of unprofessional conduct, the Hearing Tribunal makes the following orders in accordance with s. 82 of the Act. These orders include amendments to those in the consent agreement signed on January 8, 2020 and were agreed to by Ms. Webb on January 15, 2020.

1. A reprimand shall be issued against Ms. Webb.
2. Ms. Webb's permit to practice is hereby cancelled, effective the date of this order.
3. Prior to any application for re-registration, Ms. Webb shall attend at six (6) sessions with a senior RSW practitioner approved by the ACSW to assist her in identifying and addressing weaknesses that may have contributed to the unprofessional conduct. The cost shall be the responsibility of Ms. Webb. The ACSW shall be entitled to disclosure as required from the practitioner as required. Ms. Webb is urged to undertake these consultations within eighteen months (18) of the date of this order.
4. Ms. Webb shall pay costs in the sum of Seven Hundred Fifty Dollars (\$750) forthwith.
5. There shall be publication of this Consent Order on a "with names" basis on the ACSW website.

The Hearing Tribunal makes its orders as set out above based on the following reasons.

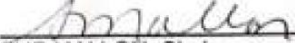
In making this order the Tribunal considered the purpose of the legislation regarding people practicing in the Health Professions.

Protection of Public: Given the vulnerable position of a client, in particular one with issues related to addiction already, it is imperative that professionals do not exploit or be seen to exploit this relationship. Ms. Webb contravened this protection and must be held to account.

Rehabilitation of Professional: The ACSW strived in delivering justice to provide an avenue towards rehabilitation for the practitioner. In this case the ACSW has allowed for a reapplication of registration subject to some conditions aimed at assisting the member to identify her weaknesses and address them appropriately.

Reputation of the Profession: ACSW is accountable to preserve the highest standards in the reputation of the Social Work profession and must act on transgressions and be seen to act on them appropriately. Hence the cancellation of the practice permit, the publication on a 'with names' basis and the fine for costs levied against the member.

Deterrence: In this case it is not believed there is a danger of re offense by the ACSW member. However, publication with names is critical as it serves notice to members that such behaviour has serious consequences.


SUE MALLON, Chair,
On behalf of the Hearing Tribunal