

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 **[LC]**, A MEMBER OF THE ALBERTA COLLEGE OF SOCIAL WORKERS;

AND IN THE MATTER OF A PROFESSIONAL CONDUCT HEARING REGARDING THE CONDUCT OF **[LC]** UNDERTAKEN IN PERSON;

**AMENDED DECISION OF THE HEARING TRIBUNAL  
PURSUANT TO THE ERRATUM DATED DECEMBER 22, 2025**

**I. INTRODUCTION**

1. A hearing was held virtually on August 29, 2025 concerning allegations of unprofessional conduct against **[LC]** (the “**Member**”), a regulated member of the Alberta College of Social Workers (“**ACSW**”). The hearing occurred by consent via a virtual platform through the Edmonton office of Parlee McLaws.
2. This decision sets out the findings, reasons and penalty orders of the Hearing Tribunal concerning the hearing.
3. The Hearing Tribunal was assisted by Blair E. Maxston, K.C. and Taylor C. Maxston as independent legal counsel, including in the drafting of this decision.

**II. THE HEARING GENERALLY**

4. The August 29, 2025 hearing was held pursuant to the *Health Professions Act*, R.S.A. 2000, c.H-7 as amended (the “**Act**”).
5. The members of the Hearing Tribunal were:

Pat Matusko, Public Member (Chair)  
Brett Huculak, Public Member  
Jacquie Mastebroek, RSW

Also participating in the hearing were Karen Smith K.C. (legal counsel for the ACSW Complaints Director) and Sheryl Pearson (the ACSW Complaints Director).

Finally, the Member participated in the hearing. The Member acknowledged she was aware of her right to be represented by legal counsel but was proceeding with the hearing without legal representation.

6. At the outset of the hearing, the Hearing Tribunal advised the parties that one of the appointed social worker members of the Hearing Tribunal, Ms. Barb Artzen, was experiencing technical difficulties with the videoconferencing software. After repeated unsuccessful attempts to resolve the technical difficulties, the Hearing Tribunal heard the parties' submissions on whether the hearing could proceed.
7. The ACSW Complaints Director and the Member both confirmed that they were willing to proceed with only three members on the Hearing Tribunal (Ms. Matusko and Mr. Huculak as public members and Ms. Mastenbroek as a regulated member). The Hearing Tribunal noted that the College's Bylaw #18 requires at least four members of a hearing tribunal for it to have quorum (i.e. two registered social workers and two public members), whereas section 12 of the Act only requires 50% of the members of a hearing tribunal to be public members. As the Act prevails over the Bylaws, the Hearing Tribunal concluded that it could proceed with the hearing having only one registered social worker and two public members comprise the Hearing Tribunal.
8. The hearing was a public hearing pursuant to s. 78 of the Act. There were no objections regarding the timeliness of service of the Amended Notice of Hearing and no objections regarding the composition or jurisdiction of the Hearing Tribunal. As well, there were no preliminary applications.
9. The allegations were set out in an Amended Notice of Hearing dated August 26, 2025 (the "**Amended Notice of Hearing**"). The allegations in the Amended Notice of Hearing arise from the Member's actions as a consultant for the Sunnyhill Housing Cooperative ("**Sunnyhill Housing**") and while she was operating a business entity called Canadian Institute for Workplace Bullying Resource ("**CIWPBR**"). The allegations in the Amended Notice of Hearing are as follows:

#### Informed Consent

1. That you failed to obtain informed consent, written or verbal, for the services being provided, specifically, interventions for the families in disagreements involved with Sunnyhill Housing.

Such conduct contravenes ss. B.4(a) of the Standards of Practice 2019, 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*.

#### Breach of Confidentiality

2. That you violated your obligation of confidentiality by sharing information about a client with the Sunnyhill Housing Cooperative Board and/or other Coop Community members without obtaining consent to do so, specifically as follows:
  - In an email dated May 19th, 2023, you disclosed information to SR about DD;
  - You commented on a letter sent by DD to the Board disclosing information about DD subsequent to DD revoking her consent on April 5th, 2023.

Such conduct contravenes ss. D.5(b) and (j), of the Standards of Practice 2019, Value 5 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*.

10. Pursuant to s. 70(1) of the Act, the ACSW Complaints Director and the Member presented a written admission of unprofessional conduct to the Hearing Tribunal stating that the Member admitted that the following allegations constituted unprofessional conduct:

Informed Consent

1. That I failed to obtain informed consent, written or verbal, for the services being provided, specifically, interventions for the families in disagreements involved with Sunnyhill Housing.

Such conduct contravenes ss. B.4(a) of the Standards of Practice 2019, 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*.

Breach of Confidentiality

2. That I violated my obligation of confidentiality by sharing information about a client with the Sunnyhill Housing Cooperative Board and/or other Coop Community members without obtaining consent to do so, specifically as follows:
  - In an email dated May 19th, 2023, I disclosed information to SR about DD;
  - I commented on a letter sent by DD to the Board disclosing information about DD subsequent to DD revoking her consent on April 5th, 2023.

Such conduct contravenes ss. D.5(b) and (j), of the Standards of Practice 2019, Value 5 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 “**Allegations**”)

11. Some of the consent hearing documents that were presented to the Hearing Tribunal were unsigned, however, the Hearing Tribunal members understand that fully signed copies of these documents have been or will be exchanged by the parties.
12. The following documents were entered as Exhibits at the hearing with the consent of both parties:

Exhibit 1: Amended Notice of Hearing.

Exhibit 2: Notice to Attend.

Exhibit 3: Investigation Report.

Exhibit 4: Affidavit of Service.

Exhibit 5: Admission of Unprofessional Conduct (the “**Admission**”).

Exhibit 6: Consent Order (the “**Consent Order**”).

Exhibit 7: CRC Decision to Dismiss Certain Allegations.

Exhibit 8: Referral to Hearing Letter.

13. Since the hearing proceeded as a consent hearing, the Hearing Tribunal heard from no witnesses at the hearing.

### **III. THE HEARING AND THE CONSENT ORDER**

14. The Consent Order contained a “Agreed Statement of Facts”, “Agreed Findings”, “Acknowledgment of Responsibility” and “No Right to Appeal” sections.
15. The Consent Order also contained a “Orders as to Sanctions” section (the “**Sanction Orders**”).

#### **A. Agreed Statement of Facts**

16. The facts in this matter are not in dispute and are described in the Agreed Statement of Facts as follows:
  1. At all material times, **[LC]** was a Registered Social Worker with the Alberta College of Social Workers (“ACSW”) since December 9, 2003.
  2. Ms. **[LC]** was the owner and responsible individual for a business entity called The Canadian Institute for Workplace Bullying Resource (“CIWBR”).
  3. Ms. **[LC]** was retained as a consultant by Sunnyhill Housing Cooperative (“Sunnyhill”) for the purposes of reducing conflict within Sunnyhill. This retainer was undertaken by the Board of Sunnyhill.
  4. CIWBR’s involvement with Sunnyhill was to work with families in conflict.
  5. CIWBR distributed an intake and consent form for all community members to sign.
  6. The consent form did not specifically indicate that CIWBR intended to work with four particular families in dispute.
  7. The interventions with the four particular families in dispute were noted but no express written consent with respect to the services to be provided was obtained from those families.
  8. In working with the different families at Sunnyhill, Ms. **[LC]** disclosed different information to different individuals.

9. The CIWBR consent form signed on February 16th, 2023, specifically states

“If this goes outside of our scope, example: legal matter or bylaw breach, we will then collaborate with the Sunnyhill Chair or Vice-Chair of the Board. Your personal information will not be shared. You will be made aware of the information we share with the two identified Board Members.”

10. On March 15th, 2023, DD gave consent to Ms. **[LC]** to share information with two Board Members. This was clarified by a text on March 17th, 2023. No explicit consent was given for any other information to be shared with the Board or anyone else.

11. DD revoked her consent to all disclosure on April 5th, 2023.

12. Ms. **[LC]** violated the confidentiality on DD as follows:

(a) Information was disclosed to SR about DD in an email dated May 19th, 2023.

(b) Ms. **[LC]** commented on a letter sent by DD to the Board which disclosed information about DD to her.

**B. Acknowledgment of Responsibility and Unprofessional Conduct**

17. It was acknowledged by the Member and the ACSW Complaints Director that the Member's conduct as described in the Agreed Statement of Facts and the Admission constitutes unprofessional conduct.

**C. No Right to Appeal**

18. The ACSW and the Member agreed that there shall be no appeal from the Consent Order notwithstanding s. 87 of the Act.

**IV. SUBMISSIONS FROM THE PARTIES**

**A. Submissions from the Complaints Director**

19. On behalf of her client, Ms. Smith's submissions can be briefly summarized as follows:

- Ms. Smith reviewed the successful settlement discussions between the parties and the admission to the charges made by the Member.
- The factual underpinning for the charges are set out in the Agreed Statement of Facts and the Member's conduct falls within the definition of unprofessional conduct.
- Ms. Smith reviewed the order as to Sanctions and the general penalty order objectives: public protection, deterrence to the Member and the profession, rehabilitation, fairness in terms of similar consequences for similar conduct and regulating the conduct of social workers properly.

- Ms. Smith reviewed the *Jaswal* factors including that the Member's conduct was on the less severe scale of unprofessional conduct, the Member was not a brand new Member, the fact that unprofessional conduct occurred two times and that the Member has taken responsibility for her actions.
- Ms. Smith reviewed the consultation order and the nature of the costs order and why publication without name is appropriate.
- Ms. Smith reviewed the deference owed to joint penalty submissions provided that the public interest test is met. Specifically, a joint penalty proposal should be given deference if it does not bring the administration of justice into disrepute and is otherwise not contrary to the public interest.

**B. Submissions from the Member**

20. The Member's submissions can be summarized as follows:
- The Member acknowledged her error and expressed sincere regret and viewed these circumstances as an important learning opportunity.
  - Her conduct fell short of her professional responsibilities and she under-estimated the complexity of this case but takes full responsibility for not getting guidance and support sooner.

**V. REASONS FOR DECISION: THE ALLEGATIONS**

**A. Generally**

21. The ACSW is a self-governing professional body established under the Act and is responsible for regulation of the Social Work profession in the public interest. This includes ensuring that all ACSW regulated members practice their profession in a manner that protects the public from unsafe, incompetent or unethical acts.
22. The Hearing Tribunal sees protection of the public as the primary consideration in this matter.
23. After carefully considering all of the information and evidence presented during the Hearing, the Hearing Tribunal accepts all of the admissions of unprofessional conduct by the Member.
24. The factual basis for the Allegations was proven as the result of uncontradicted evidence presented to the Hearing Tribunal. Bearing in mind the Admission presented by the ACSW Complaints Director and the Member, the Hearing Tribunal also concluded that the proven actions of the Member constituted unprofessional conduct as they were a clear breach of the Member's ethical and professional obligations.

## **B. Analysis**

25. Being registered by the ACSW as a regulated member is accepted by the public as confirmation that the regulated member can practice safely, competently, ethically and honestly.
26. In terms of Allegation 1, it is imperative for social workers to take all reasonably necessary measures to obtain informed consent. The Hearing Tribunal recognizes that there would have been challenges presented by the unusual work situation involving the Member, CIWPBR, and Sunnyhill Housing. However, a social worker must ensure they have the necessary skills and attributes to be successful before taking on such a complex case. The Member should have sought clarity as to what was expected as part of the working arrangement and, in turn, addressed the issue of informed consent as necessary.
27. In terms of Allegation 2, social workers must appreciate that informed consent can be withdrawn by the patient. Particularly in the context of disclosure, the patient places a great deal of trust in the social worker by disclosing sensitive information with the assurance that the information will be kept strictly confidential. Even when a patient has given informed consent for the social worker to share the disclosed information with others, the patient is within their right to revoke that consent. DD's withdrawal of consent on April 5, 2023 meant that the Member's subsequent email of May 19, 2023 and comments to the Board were highly improper and breached her duties of confidentiality.
28. Based on the evidence, the Hearing Tribunal finds the Allegations factually proven and that the Allegations constitute unprofessional conduct.

## **VI. REASONS FOR DECISION: SANCTIONS**

### **A. The Joint Sanctions Proposal**

29. As part of the Consent Order, the parties also jointly presented an Orders as to Sanctions (the "**Sanction Orders**") recommendation as follows:
  1. A Reprimand shall be issued as against Ms. **[LC]**.
  2. Ms. **[LC]**'s shall undertake six (6) consultations with a senior practitioner (as approved by the ACSW Complaints Director) within year one year of the date of this order. Reporting shall be permitted and required to the ACSW Complaints Director, and all costs associated with the Consultations shall be the responsibility of Ms. **[LC]**.
  3. Ms. **[LC]** shall pay costs of this matter in the amount of \$500.00 within one (1) year of the date of the Order.
  4. The Complaints Director shall maintain the discretion to suspend Ms. **[LC]**'s permit to practice pending a Hearing should the Complaints Director, in her sole discretion, conclude that Ms. **[LC]** has breached this Order.
  5. There shall be publication of this decision and reasons on a "no names" basis.

30. After considering submissions from the parties, the Hearing Tribunal confirmed that it was accepting the Sanction Orders for the reasons described below.

**B. The Sanction Orders and the Public Interest Test**

31. The Hearing Tribunal acknowledges the significant efforts of the parties in preparing the Consent Order and the Sanction Orders. The Hearing Tribunal is also aware of the well-established legal principles indicating that deference should be shown to joint submissions on penalties as they promote certainty for both the member and the regulatory body, reduce the time and cost associated with contested hearings and are the result of careful negotiation.
32. Although the Hearing Tribunal retains ultimate discretion in terms of making penalty orders, it is aware of the legal principles which establish that a decision-maker (such as this Hearing Tribunal) should not depart from a joint submission on sanction unless the joint submission is unfit, unreasonable or contrary to the public interest.
33. For the reasons set out in this decision, the Hearing Tribunal finds that the public interest test for accepting the Sanction Orders was met.
34. The proposed penalty orders must and do convey to the Member, the profession and the public that this conduct will not be tolerated by the ACSW. The ACSW has a clear public protection mandate and an obligation to uphold the integrity of the profession of social work in the eyes of the public.
35. Ultimately, the Hearing Tribunal concludes that the proposed sanctions are reasonable and appropriate and reflect the serious nature of the Member's conduct, the rehabilitation of the Member and her clear acceptance of responsibility for her actions. Very importantly, by the Member admitting unprofessional conduct and agreeing to the terms of a consent hearing, both parties avoided the time, cost and uncertainty associated with a contested hearing which could have been very lengthy.
36. The Member has acknowledged her behaviour as unprofessional and accepted responsibility for her conduct. In her statement during the Hearing, the Hearing Tribunal found the Member to be genuine and articulate in expressing her admission as well as her desire to avoid such conduct going forward.
37. The overall costs to the Member are fair and reasonable having regard to her actions.
38. In summary, the Hearing Tribunal concludes that the sanctions recommended by both parties are fair, reasonable and appropriate and reflect the seriousness of the Member's conduct as well as her acceptance of responsibility for those actions. They also reflect her efforts in resolving these matters by way of a consent hearing.

39. Accordingly, the Hearing Tribunal makes the following orders in accordance with s. 82 of the Act:
1. A Reprimand shall be issued as against Ms. **[LC]**.
  2. Ms. **[LC]**'s shall undertake six (6) consultations with a senior practitioner (as approved by the ACSW Complaints Director) within year one year of the date of this order. Reporting shall be permitted and required to the ACSW Complaints Director, and all costs associated with the Consultations shall be the responsibility of Ms. **[LC]**.
  3. Ms. **[LC]** shall pay costs of this matter in the amount of \$500.00 within one (1) year of the date of the Order.
  4. The Complaints Director shall maintain the discretion to suspend Ms. **[LC]**'s permit to practice pending a Hearing should the Complaints Director, in her sole discretion, conclude that Ms. **[LC]** has breached this Order.
  5. There shall be publication of this decision and reasons on a "no names" basis.

Dated this 9<sup>th</sup> day of January, 2026.

*"Pat Matusko"*

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Pat Matusko  
Chair on behalf of the Hearing Tribunal