

PERSPECTIVE

A PUBLICATION OF THE ONTARIO COLLEGE OF SOCIAL WORKERS AND SOCIAL SERVICE WORKERS

CASANDRA DIAMOND'S FIGHT TO END HUMAN TRAFFICKING



Cassandra Diamond

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AN INTERVIEW WITH ONE OF CANADA'S LEADING ANTI-HUMAN TRAFFICKING ADVOCATES

Though invisible to many, human trafficking is one of the more significant issues facing Ontarians.

According to the [provincial government](#), Ontario is a major centre for human trafficking and accounts for more than two-thirds of cases nationally. Most of these cases involve sexual exploitation.

Cassandra Diamond is a leading advocate in the fight against human trafficking. She is the founding director of [BridgeNorth Women's Mentorship & Advocacy Service](#), a survivor-led charitable organization that seeks to end sexual exploitation in Canada. In May, Casandra delivered a keynote

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address on human trafficking at the College's 2018 Annual Meeting and Education Day. She is also the keynote speaker at this year's Educational Forums in North Bay and Kingston.

A survivor herself, Casandra knows firsthand the dynamics and culture of the sex trade. She is acutely aware of the needs of women who are trying to flee the industry's clutches.

Q: WHAT INSPIRED YOU TO BECOME AN ANTI-HUMAN TRAFFICKING ADVOCATE?

As a victim of this crime, I know firsthand the hardships and violence suffered while being trafficked. Only after exiting did I experience a life without violence and wanted to share that with those I had just spent the last 10 years of my life with. I wanted to reach out and assist other women to let them know that they had better options.

I want Canadians to understand that this is a problem that young girls face in our society. I saw that predators had free rein to exploit me and others like me because people did not even realize what was happening in our own society.

Q: CAN YOU DESCRIBE THE HUMAN COST?

The cost is absolutely human. It's physical and psychological. Trafficked persons experience very harsh living conditions. Traffickers often withhold the necessities of life, denying their victims food and sleep and forcing them to work long hours. A trafficked person begins to feel as if society has turned against them and they stop trying to be "normal."

Many people eventually get out of the industry, but not everyone comes out intact. We're talking about having branding tattoos, broken teeth and bones, being HIV positive. But the effects are not only physical. Victims of human trafficking also have high rates of PTSD, dissociation, mental illness and suicide. I know of five women from my experience who were either murdered or died by suicide. The effects are lifelong and the damage is often permanent.

Q: WHO IS MOST AT RISK/VULNERABLE TO HUMAN TRAFFICKING?

Being a young female is the primary risk factor for human trafficking. Individuals from the child welfare system and those who have suffered abuse as children, especially sexual abuse, are most vulnerable.

That being said, I see many more girls from “mainstream society” in the sex industry. I believe there are many factors that contribute to this, not the least of these being the hyper-sexualization of our current culture. Also, the internet and social media have made it easier for traffickers to groom and lure potential victims. Before, people were warned to avoid certain places, but now traffickers can be found on common social media platforms like Instagram and Snapchat.

Q: HOW CAN SOCIAL WORKERS AND SOCIAL SERVICE WORKERS HELP THOSE EXPLOITED BY HUMAN TRAFFICKING?

Social workers and social service workers can help by learning to identify the signs of trafficked persons. This includes better understanding its culture. You [social workers and social service workers] have unique access to trafficked persons, as you are involved in child welfare, justice and healthcare systems, where trafficked persons and those at risk of being trafficked can often be found.

The social worker or social service worker is one of the few people a trafficked person will communicate with outside of the industry. That's why it's essential for you to approach these individuals intelligently and with empathy, in order to develop trusting relationships.

Q: WHAT ARE THE COMMON MISPERCEPTIONS OF HUMAN TRAFFICKING?

There are many major misperceptions when it comes to the sex trafficking industry. These include: one, the belief that cross-border travel is a requirement of human trafficking. The majority of trafficked persons in Canada are Canadian citizens.

Two, trafficked persons can always leave the industry if they want to. This isn't true, as traffickers often maintain control of their victims by resorting to emotional manipulation, abuse and debt bondage.

And three, that all sex traffickers are male. Though the vast majority of sex traffickers are young and male, some are female – many of whom are still victims themselves.

Q: WHAT RESOURCES ARE AVAILABLE TO SOCIAL WORKERS AND SOCIAL SERVICE WORKERS AND OTHERS WHO WANT TO LEARN MORE ABOUT HUMAN TRAFFICKING?

The Ministry of Children, Community and Social Services has a [webpage](#) with information and local resources plus a confidential, toll-free helpline at 1-833-999-9211.

MCIS Language Solutions offers free online training resources, tips and tools at
<http://helpingtraffickedpersons.org/>

The Chrysalis Anti-Human Trafficking Network (www.chrysalisnetwork.org) offers free confidential telephone counselling service to women, men and youth who have been trafficked.

The College would like to thank Casandra Diamond for granting us this interview. If you have practice-related questions concerning the subject of human trafficking, please contact the College's Professional Practice Department at practice@ocswssw.org.

MESSAGE FROM THE REGISTRAR & CEO

TITLE PROTECTION PROTECTS THE PUBLIC



NEW ONLINE INITIATIVE WILL LIST UNREGULATED PRACTITIONERS

At the Ontario College of Social Workers and Social Service Workers, we continue to enhance our regulatory effectiveness through a number of new and ongoing initiatives, in the fulfillment of our mission to protect the interest of the public.

I am very pleased to announce the August 2018 launch of an unregulated practitioners webpage located in the Public section of the College website. This page will list court proceedings that have been initiated or are in the process of being initiated against unregulated practitioners.

We recognize the importance of title protection to our members. As you know, the following titles — including their abbreviations and French equivalents — are protected in the province of Ontario, meaning they may only be used by members of the College: social worker, registered social worker, social service worker, and registered social service worker.

It is also illegal for an individual to hold out expressly or by implication that they are a social worker or

social service worker without being registered with the College.

We believe that a public listing of unregulated practitioners will help protect the public from unqualified, incompetent or unfit practitioners. We also recognize that title protection is important to you in the practice of your professions; the integrity of your titles is a valuable aspect of membership and a fundamental duty of the College.

If you are aware of any individual who is illegally using a protected title and/or holding themselves out as a social worker or social service worker, you may report this information to the College at titleprotection@ocswssw.org.

NEW FACES, NEW INITIATIVES

As the provincial regulator of social workers and social service workers, the College works with the Government of Ontario to fulfill our mission in accordance with the *Social Work and Social Service Work Act, 1998* and the regulations and bylaws made under that Act. In June, following the provincial

election, we welcomed the Honourable Lisa MacLeod as the newly elected Minister of Children, Community and Social Services.

We also welcomed new and returning members of the incoming 2018/19 College Council, who convened for their first meeting in early September. I look forward to working with the College Council as we continue our work with the Ministry, to fulfill our important public protection mandate and protect vulnerable Ontarians. We have a number of new initiatives launching this fall intended to enhance stakeholder and public awareness, promote ethical and professional practice, and improve communications with you, our members.

We are looking forward to the launch of a public awareness campaign to educate Ontarians on the role of the College and the protections provided through the regulation of the professions of social work and social service work. This campaign is vital to our public protection mandate because it will help the public recognize the legislated safeguards that are in place when using the services of registered social workers and registered social service workers.

We will also be launching an ethical decision-making framework from our Professional Practice Department to better assist our members in navigating ethical dilemmas. Grounded in the Standards of Practice, the framework is an easy-to-use resource that gives members an ethical toolkit unique to practice in Ontario.

Finally, we look forward to a number of communications initiatives based in part on the feedback that you, our members, provided through this summer's communications survey. I hope you've noticed the new look of *Perspective* and its email template, which allows for easy navigation through the articles and topics that are important to you.

Based on your feedback from the survey, we will also transition *Perspective* to a more prominent place on our website, so it can be found and more easily accessed by all stakeholders.

As we move towards 2019, I am excited by the opportunities and initiatives that lie ahead. I look forward, in future editions of *Perspective*, to discussing current issues that are relevant to the regulation of our professions and the strategic initiatives of the Ontario College of Social Workers and Social Service Workers.



Lise Betteridge, MSW, RSW
Registrar and CEO

THE DUTY TO REPORT CHILD ABUSE AND NEGLECT

AN OCSWSSW MEMBER'S OBLIGATIONS

The [Child, Youth and Family Services Act, 2017](#) (CYFSA) and its supporting regulations were proclaimed on April 30, 2018. Of particular relevance to social workers and social service workers is [Section 125](#), which sets out the duty to report.

The College recently updated its [article on the duty to report](#) to reflect this important legislative change. This article has been developed to assist you as an OCSWSSW member in better understanding your duty to report under Section 125 of the CYFSA. It does not provide specific legal advice.

THE DUTY TO REPORT

As an OCSWSSW member, you have a duty to report (an obligation to disclose certain confidential client information without consent) that is set out in Section 125 of the CYFSA. Because social workers and social service workers engage frequently (both directly and indirectly) with children who may be at risk of harm or in need of protection, you are in a unique position to recognize possible signs of child abuse and neglect. It is therefore imperative that you be well-informed with respect to your duty to report under the CYFSA.

THE CYFSA AND A CHILD WHO IS IN NEED OF PROTECTION

Section 125 of the CYFSA imposes a duty to report on any person, including those who perform professional or official duties with respect to children (including social workers and social service workers), if they have **reasonable grounds to suspect** that a child is in need of protection. The CYFSA provides that a child is in need of protection if they have suffered or are at risk of suffering certain defined types of harm or if they fall within certain circumstances, listed in the CYFSA.

The description of the harms, risks and circumstances listed in Section 125 of the CYFSA can be found in the College's [Duty to Report article](#).

You may need to weigh several factors and exercise professional judgment when determining whether or not you have a duty to report in a particular situation. This includes careful consideration of the case-specific details, relevant standards of practice and applicable legislation. In addition to seeking supervision and/or consultation, you may choose to seek an opinion from a lawyer.

For further information about this issue, you are strongly encouraged to review [The Code of Ethics and Standards of Practice Handbook, Second Edition, 2008](#) and the Practice Notes "[Meeting Professional Obligations and Protecting Clients' Privacy: Disclosure of Information without Consent](#)."

If you have further questions about this issue or other practice concerns, please contact the Professional Practice Department at 416-972-9882 or 1-877-828-9380 or email practice@ocswssw.org.

IMPORTANT REMINDER

RENEWING YOUR COLLEGE MEMBERSHIP FOR 2019

As a member of the Ontario College of Social Workers and Social Service Workers, you must pay your membership fee annually by December 31 of the previous year. Keeping your membership current is important. It demonstrates your commitment to professional, ethical, qualified and accountable practice.

This year's renewal period will begin in early November. You will be sent a notice via email once the College's member renewal period is open.

In early November, you will be able to renew your membership and pay your annual fee through the College's online member services. The deadline to complete your 2019 membership renewal is December 31, 2018. A late-fee penalty of \$50 will be applied to renewals received by the College after the deadline.

RENEW YOUR MEMBERSHIP ONLINE

Once the renewal period is open, follow these easy steps to renew your membership online:

- Log in using your User ID (your OCSWSSW registration number) and your password.
- Go to "**My Profile**" to confirm that your personal information is accurate and up to date.
- Click on the "**Renewals**" link on the top left-hand side of your screen and select "**2019 renewal**" to complete the annual renewal of registration form and payment.

For more information regarding your membership renewal, please refer to the [Guide for Online Services](#).

TAX RECEIPTS AND MEMBER CARDS AVAILABLE ONLINE

The College would like to remind members that tax receipts and member cards are available online following payment of the annual renewal fee.

To access your tax receipt and member card, please follow the steps below:

1. Log in to your Online Member Services.
2. Click the "**Renewals**" menu, "**History**" section.
3. From the Membership Renewal History grid, click on the "**Membership card and tax receipt**" of the selected Membership Year to open a PDF file that you can print, save or send by email.

2019 ANNUAL FEES

After careful consideration, the College Council approved an increase of \$20 to annual fees for 2019. The 2019 fees are as follows:

Annual renewal of registration for members in the general class of certificate of registration	\$330.00
Annual fee for general class of certificate of registration	\$330.00 + \$100.00 application fee
New graduate registration fee <i>* You are eligible for this reduced fee, provided you apply for registration no later than December 31 of the year in which you graduate. You are then eligible for the reduced fee for the two subsequent years.</i>	\$230.00 + \$100.00 application fee
Annual fee for inactive class of certificate of registration	\$165.00
Annual fee for retired class of certificate of registration (no fee increase)	\$50.00

WHY HAVE ANNUAL FEES INCREASED?

Member fees must reflect actual operating costs in order for the College to be in a position to effectively fulfill its public protection mandate. As part of its business plan, the College has been intentionally operating with a deficit budget for several years, in order to draw down on an accumulated reserve. During this time, all members have benefited from lower fees that did not reflect the College's actual operating costs.

"The College takes its duty to protect the public interest seriously," said College Registrar and CEO Lise Betteridge, MSW, RSW. "This was not a decision made lightly by Council, however, this increase is necessary to ensure that the College has the resources needed to continue to meet its public protection mandate and promote ethical and professional practice."

For more information on the fee increase, please read the College's recent [eBulletin](#)

Questions about the membership fees can be directed to renewals@ocswssw.org or call 416-972-9882 or 1-877-828-9380 (toll free):

- Paul Cucci, Membership Manager, ext. 202.
- Anne Vézina, Membership Administrator (bilingual), ext. 211.

COLLEGE RESPONSE TO THE DOMESTIC VIOLENCE DEATH REVIEW COMMITTEE REPORT

THE ARTICLE BELOW WAS ORIGINALLY SENT TO COLLEGE MEMBERS AS AN EBULLETIN IN JUNE 2018.

The Office of the Chief Coroner has notified the College of the results of a review by the Domestic Violence Death Review Committee (DVDRC) and sought the College's support in implementing one of its recommendations. This eBulletin seeks to assist in implementing the DVDRC's recommendation by:

- Sharing the findings of the DVDRC with members.
- Reminding members of their professional obligations with respect to competence, currency and scope of practice.
- Emphasizing the importance of ongoing training on risk assessment, risk management and safety planning in the prevention of domestic homicides, with special emphasis on the impact that depression may have on domestic violence and domestic homicide.

THE DVDRC REPORT

The DVDRC's findings are published in the [Report on the Matter of the Death of \(names removed\)](#)

OCC File: 2014-1470, DVDRC 2017-16 ("DVDRC's Report"). The death referred to in the DVDRC's Report occurred on February 3rd, 2014.

In a letter accompanying the DVDRC Report, the DVDRC states its primary goals for the review:

The purpose of this Committee is to assist the Office of the Chief Coroner in the investigation and review of deaths of persons that occur as result of domestic violence, and to make recommendations to help prevent such deaths in similar circumstances.

By conducting a thorough and detailed examination and analysis of facts within individual cases, the DVDRC strives to develop a comprehensive understanding of why domestic homicides occur and how they might be prevented. Information considered within this examination includes the history, circumstances and conduct of the abusers/perpetrators, the victims and their respective families. Community and systemic responses are examined to determine primary risk factors and to identify possible points of intervention that could assist in the prevention of similar deaths in the future.

Recommendation #1 of the DVDRC Report is directed at three regulatory colleges, specifically, the Ontario College of Social Workers and Social Service Workers, the College of Psychologists of Ontario, and the College of Physicians and Surgeons of Ontario. The recommendation states that:

Social workers, psychologists and physicians are reminded of the importance of ongoing training on risk assessment, risk management and safety planning in the prevention of domestic homicides. Special emphasis should be given on the impact that depression has on domestic violence and domestic homicide.

MEMBERS' PROFESSIONAL OBLIGATIONS

In keeping with this recommendation, the College is providing the DVDRC's Report to all members. Members are reminded of their obligation, in accordance with [The Code of Ethics and Standards of Practice Handbook, Second Edition, 2008](#), to provide services only within the boundaries of their competence. Principle II: Competence and Integrity, Interpretation 2.1.1 states:

College members are responsible for being aware of the extent and parameters of their competence and their professional scope of practice and limit their practice accordingly. When a client's needs fall outside the College member's usual area of practice, the member informs the client of the option to be referred to another professional. If, however, the client wishes to continue the professional relationship with the College member and have the member provide the service, the member may do so provided that:

- i) *he or she ensures that the services he or she provides are competently by seeking additional supervision, consultation and/or education and*
- ii) *the services are not beyond the member's professional scope of practice.*

Recommendations for particular services, referrals to other professionals or a continuation of the professional relationship are guided by the client's interests as well as the College member's judgement and knowledge.

The Standards of Practice also require members to ensure ongoing maintenance of competence and continuing professional development in the areas in which they provide services. This can be achieved by:

- Participating in ongoing continuing education and the Continuing Competence Program (CCP) in order to remain current with emerging practice knowledge.
- Maintaining current knowledge of policies, legislation, community programs and issues related to practice.
- Ensuring professional recommendations or opinions are based on current, credible sources and evidence.
- Engaging in the process of self-review and evaluation of practice, and seeking consultation when required.

Members are reminded that all areas of social work and social service work practice require a comprehensive knowledge base, effective and professional use of self, and mastery of specific skills. Members' knowledge and self-awareness are critical to ethical and professional practice. When assessing their competence, members should:

- Consider their levels of education, training, and experience.
- Explore practice challenges within the context of supervision.
- Participate in the CCP.
- Use the CCP to focus on the skills and knowledge required for new activities or areas of practice.

Members whose areas of practice are addressed by the DVDR Report should ensure that they are current with respect to relevant and recent information related to the impact that depression has on domestic violence and domestic homicide, as well as the assessment of risk in these domains.

For more information:

- [Practice Notes: "But How Do I Know If I'm Competent" – Issues to Consider](#)
- [Continuing Competence Program](#)
- [The Code of Ethics and Standards of Practice Handbook, Second Edition, 2008](#)
- [Domestic Violence Risk Assessment: Informing Safety Planning & Risk Management Domestic Homicide Brief 2](#)

For further information, please contact the Professional Practice Department
practice@ocswssw.org.

THE NUMBERS ARE IN

2018 MEMBER COMMUNICATIONS SURVEY

Thank you to all members who participated in our recent member communications survey. We were pleased with the solid response rate and the level of interest you showed in the effectiveness of communications and outreach from the College. We value your feedback and are currently analyzing the data to determine areas of improvement in our communication tools and services.

There were a number of noteworthy statistics. Nine of 10 respondents said their employer was aware that the practice of social work and social service work is regulated by the College. Three-quarters of respondents access the College website and online resources when they have a challenging practice-related issue or inquiry. Eight of 10 respondents said their employer supports their College membership with time off for professional development.

While we continue to crunch the numbers to inform our communications strategies, some intriguing trends emerged from your feedback. The use of

social media, online news and mobile use is growing among members, as it is across the public at large. More than half of respondents use their smartphone to browse the Internet. Half of respondents receive their news and information on current events through social media. Just 37 per cent of respondents reported reading (print) newspapers.

We are pleased to report that your feedback has already resulted in a communications adjustment. *Perspective* can now be accessed through the home page at ocswssw.org. We made this change because some members reported that they were not aware of *Perspective* and its biannual publication or could not find *Perspective* on our website. We look forward to informing you in future editions of further communications initiatives and improvements.

COUNCIL MEETING HIGHLIGHTS FOR MAY 10, 2018

- Shelley Hale, RSSW, President, provided her report to Council.
- Lise Betteridge, RSW, Registrar, and Laura Sheehan, Deputy Registrar, presented their report to Council. The report provided updates on:
 - the College's employer outreach campaign and associated increase in website traffic;
 - the upcoming Employer Roundtables;
 - the 2018 Annual Meeting and Education Day;
 - the College's ongoing stakeholder outreach including meetings with the Ontario Deans and Directors, the Ontario Social Service Work Coordinators and the Ontario Association of Social Workers;
 - the recently published Annual Report;
 - an overview of the proclamation of the *Child, Youth and Family Services Act* and the College's recent eBulletin;

- membership and registration updates including the College's retention initiatives; and
 - the College's ongoing database upgrade process.
- Council reviewed the Statement of Financial Position and Statement of Operations for March 2018, as well as the 2017 Audited Financial Statements.
 - Reports were received from the following statutory committees: Executive; Complaints; Discipline; Registration Appeals; and Fitness to Practise.
 - Council reviewed recommendations from the Finance Committee regarding membership fees for 2019; these recommendations were approved by Council.
- The Registrar provided an update regarding the Association of Social Work Boards' Strategy to Address Mobility.
 - Reports were received from the following non-statutory committees: Standards of Practice; Election; Nominating; Finance; Governance; Corporations; and Titles and Designations.
 - Council reviewed and approved revisions made to Policy B-011 – Role Description: Non-Council Committee Member; Policy B-023 – Committee Reports to Council; Policy B-024 – Committees and Task Groups Policy; Policy B-026 – Policy Development Process; and Policy B-027 – Council Member Attendance at Conferences and Workshops, proposed by the Governance Committee.

COUNCIL MEETING HIGHLIGHTS FOR SEPTEMBER 6-7, 2018

SEPTEMBER 6, 2018

- The following Council members were elected by Council to the Executive Committee:
 - Shelley Hale, RSSW – President
 - Lisa Seburn, RSW – Vice-President
 - Déirdre Smith, Public Member – Vice-President
 - Toula Kourgiantakis, RSW – Executive Member
 - Mukesh Kowlessar, RSSW – Executive Member
 - Rick Lamb, Public Member – Executive Member
- Council reviewed the outgoing President's Report.
- Council received orientation and training from Crowe Soberman LLP regarding financial reports and Council responsibilities.

SEPTEMBER 7, 2018

- Council approved the recommendations of the Nominating Committee with respect to the member composition and chairs of statutory and non-statutory committees.

- Lise Betteridge, RSW, Registrar, and Laura Sheehan, Deputy Registrar, presented their report to Council. The report provided updates on:
 - registration and membership statistics including the College's retention strategy;
 - the annual Fair Registration Practices Report for the Office of the Fairness Commissioner (OFC) as well as OFC's audit;
 - an overview of the College's recent service disruption;
 - the College's ongoing communications initiatives including employer outreach;
 - the upcoming Educational Forums and Employer Roundtables;
 - stakeholder outreach through the Professional Practice Department;
 - the College's continued involvement within the regulatory community;
 - and the College's launch of an unregulated practitioners webpage.

- Council reviewed the Statement of Financial Position as of June 2018.
- Council reviewed the Statement of Operations for June 2018.
- Council reviewed and approved in principle the 2019 Budget Work Plan/Strategic Plan.
- Council reviewed and approved in principle the Support Person Program – Sexual Abuse Allegations.
- Council reviewed the report from the 2018 Annual Meeting and Education Day.
- Reports were received from the following statutory committees: Executive; Complaints; Discipline; Registration Appeals; and Fitness to Practise.
- Reports were received from the following non-statutory committees: Standards of Practice; Election; Nominating; Finance; Governance; Corporations; and Titles and Designations.
- Council reviewed and approved Bylaw 109, amending Bylaw 66 with respect to revisions to: Practice Guidelines – Consent and Confidentiality with Children and Youth; Practice Guidelines – Custody and Access Assessments; Practice Guidelines – Medication Practices; and to the Standards of Practice – Principle IV: The Social Work and Social Service Work Record.
- Council reviewed and approved Bylaw 110, amending Bylaw 1 in regards to requiring members to provide information about their membership in other professional regulatory bodies, both in Ontario and in other jurisdictions.
- Council reviewed and approved Bylaw 111, amending Bylaw 36 with the addition of new eligibility requirements including a one year cooling off period for candidates for election to Council who hold a position on the provincial governing body of any professional association involving social work or social service work or on the executive of a collective bargaining unit involving social work or social service work.
- Jim Dunsdon presented his Council Evaluation Report to Council.
- Council reviewed and approved revisions made to: Policy B-006 – Role of President and Vice-Presidents; Policy B-019 – Evaluation Instrument; Policy B-028 – Council Policy and Evaluation; and new governance policy – Committee Evaluation Policy and Evaluation Template.

NEW COUNCIL ROSTER FOR 2018/19

Amanda Bettencourt – Elected Social Service Worker

Amanda Bettencourt is a social service worker graduate from Mohawk College, mom to a beautiful little girl, and a current full-time advance standing BSW student at Ryerson University. She works part-time as a family access worker with YWCA Hamilton. Prior to this, Amanda was working as a peer tutor

while she attended Mohawk College, and went on to cover a medical leave at her last placement: The Hamilton Community Legal Clinic. Amanda seized the opportunity to become an OCSWSSW Council member as she believes in promoting registration with the College to fellow social service workers and hopes to advocate for policy-level change which will be seen not only in the field, but by the public as well.

Charlene Crews – Elected Social Service Worker

Charlene Crews is a mental health clinician with over 26 years of experience working with marginalized and homeless populations. She brings a diversity of experience and transferable skills developed through direct service and program development work across sectors of child and adult mental health and addictions, hospital and community health care, patient advocacy, corrections, homelessness and housing. Charlene worked for 10 years with the CATCH Program at St Michael's Hospital and has recently moved to an adjudicator role with Toronto Community Housing. Charlene also continues to work as a Rights Adviser with the MOHLTC – Psychiatric Patient Advocates Office and as a course instructor for case management. Charlene maintains active roles on multiple community advocacy boards in the homeless and mental health sectors. Charlene holds a strong interest in health law, privacy and ethics. She holds certificates in family therapy, dialectical behavioral therapy, interpersonal medication and health service management and is currently pursuing a degree in health administration at Ryerson University.

Linda Danson – Elected Social Worker

Linda Danson holds a master's of social work from McGill University, and has been a social worker for over 30 years. In Montreal she worked in family services, child protection and supervised social work students from McGill. Linda also taught courses at Concordia and McGill Universities, and has had a private practice. Linda currently works for The Ottawa/ Pembroke Champlain LHIN as a staff therapist. She has been a guest lecturer at Algonquin College. She is the Vice-President of the Renfrew and District Food Bank.

Angèle Desormeau – Elected Social Service Worker

Angèle Desormeau graduated with a BA in psychology from the University of Ottawa in 1985 and received a diploma in addictions studies from McMaster University in 1993. From 1986 to 1990 she worked in child welfare and with youth. She has worked at South Cochrane Addictions Services since 1990: first, as an Addictions Counsellor, then as a Clinical Supervisor and now as Executive Director.

Angèle is an active member with many community/district/regional working groups and committees including, but not limited to: Cochrane District Addiction and Mental Health Systems Group, Cochrane District Human Services and Justice Coordinating Committee, Timmins Health Link, Community Mobilization Timmins, and the North East LHIN Mental Health and Addiction Advisory Council.

Lisa Foster – Public Member

Lisa Foster is the Executive Director of Community Living, Thunder Bay. Ms. Foster was the former Director of Organizational Development and Innovation with Community Living Algoma in Sault Ste. Marie. She holds a developmental services worker diploma from Sault College of Applied Arts and Technology as well as a bachelor of arts degree in English from Algoma University.

Judy Gardner – Elected Social Service Worker

Judy holds a bachelor of arts and also received a social service work diploma with honours in 2013. Her diverse educational background also includes administration, criminology, early childhood and women's studies. She is currently a college instructor specializing in addictions and community service work. Judy has over 10 years of frontline professional experience supporting adults with developmental disabilities and has a passion to advocate for the marginalized. Judy was elected to Council in May 2014.

Sanjay Govindaraj – Elected Social Worker

Sanjay Govindaraj graduated with an MSW from the Tata Institute of Social Sciences (1994) and a masters in applied environmental studies from University of Waterloo in 2004. Over the last 24 years, Sanjay has led projects related to poverty, food security, housing, child prostitution and HIV/AIDS. Currently employed with the Region of Waterloo as Social Planning Associate, he is leading the diversity, inclusion and accessibility portfolios. He also provides counselling on a part-time basis at the Delton Glebe Counselling Centre in Waterloo. Wilfred Laurier University awarded the title Associate Practicum Professor (part-time) for his years of supervising MSW students. Sanjay has been on numerous boards with not-for-profit organizations and is a mentor for

new immigrants. Sanjay was elected to the Council in 2018.

Shelley Hale – Elected Social Service Worker

Shelley is a registered social service worker and registered social worker with over 20 years of experience in the field of mental health. She graduated from Algonquin College's Intensive Social Service Worker Diploma Program and has been registered with the College since its inception. Shelley previously served on the OCSWSSW Council for the first 10 years and was re-elected to Council in 2016. She is currently the Director of Patient Care Services for the Royal Ottawa Operational Stress Injury Clinic at the Royal Ottawa Mental Health Centre. Shelley's previous clinical work experiences were all community based and her administrative career at The Royal has led her to complete a certificate in program management through the University of British Columbia. She is currently pursuing her masters in leadership at Royal Roads University.

Frances Keogh – Elected Social Worker

Frances Keogh is currently employed on a part-time basis as a counsellor with Family Service Thames Valley Employee Assistance Program, in London. She has worked in employment assistance programs for the past 16 years. Her previous clinical experience has been in child welfare, in/outpatient mental health services and community work and outreach. She has been employed by not-for-profit organizations, health and welfare departments, and community agencies. She has worked in Ireland, Britain and Canada during the past 30 years.

Toula Kourgiantakis – Elected Social Worker

Toula Kourgiantakis is an Assistant Professor, Teaching Stream and Coordinator of the Simulation Program at the Factor-Inwentash Faculty of Social Work (FIFSW). Her research focuses on social work education and family involvement in addictions and mental health. Toula is a registered couple and family therapist and a clinical fellow of the American Association for Marriage and Family Therapy (AAMFT). Her research and teaching is informed by 25 years of clinical practice across different settings such as child welfare, schools, as well as mental health and addiction treatment centres. She

continues to work with families in private practice and she also offers consultation and supervision to professionals and agencies.

Mukesh Kowlessar – Elected Social Service Worker

Mukesh Kowlessar previously served on the OCSWSSW Council from its inception until 2013. During this time he served on the Executive Committee and as College President for four years. Mr. Kowlessar recently retired as a program manager for the City of London. He has over 30 years of leadership experience in the municipal and provincial sectors in social services. Mr. Kowlessar was formerly an adjudicator with the Landlord and Tenant Board and is currently a consultant in strategic planning. Prior to his retirement, Mr. Kowlessar worked within the Ministry of Community and Social Services (MCSS) on the Social Services Solution Modernization Project in leading change management to Ontario Works and Ontario Disability Support Program offices. He holds certificates in mediation – alternate dispute resolution and executive management from Western University; certification in crisis and critical incident stress management and a social service worker diploma from Fanshawe College.

Andy Kusi-Appiah, Public Member

Andy Kusi-Appiah of Kanata is a demographer by training; and an adjunct professor at Carleton University's Department of Geography and Environmental Studies. Between 2004 and 2006, Andy served as the Senior Advisor on Diversity Issues to then Mayor of Ottawa Bob Chiarelli. As senior advisor to the Mayor of Ottawa, Andy led many multi-disciplinary teams to solve complex diversity issues in a timely and sensitive manner. He also led multi-disciplinary research in identifying policy initiative opportunities, and strategic policy options including monitoring the development and implementation of City policies with a diversity lens. Over the years Andy has contributed voluntarily to numerous organizations focusing on socio-cultural, educational and integration issues affecting citizens of Ottawa. For example, he served on the City of Ottawa's Equity & Diversity Advisory Committee, Homelessness Task Force, Task Force on Somali Youth, Tsunami Relief Committee, Crime Prevention Board, and Interfaith Ottawa. Andy writes frequently on diversity issues in the online magazine Black

Ottawa Scene. In 2007, Andy received Black History Ottawa's award for outstanding service to the community. Andy also received the Ghanaian-Canadian Achievement Award for outstanding service to the community in 2010.

Richard (Rick) Lamb – Public Member

Rick Lamb is a "semi-retired" principal with the Thames Valley District School Board, where he has been employed for the past 30 years as an administrator and teacher in a variety of assignments. Prior to his career in education, he worked as a child and youth worker at Madame Vanier Children's Services in London, providing support and counselling to children and their families. Rick attended the University of Western Ontario and holds a BA in administrative and commercial studies (public administration and public policy) and a BEd from Althouse College. He is also a graduate of the Child and Youth Worker Program at Fanshawe College.

Sue-Ellen Merritt – Elected Social Service Worker

Sue-Ellen Merritt graduated with honours from Niagara College's Social Service Worker Program in 1996. She has served on the Niagara College Social Service Worker Advisory Board for 15 years, and was Chair of the Board's Legislation Sub-Committee. Currently retired, Sue-Ellen was employed for 20 years by Niagara Health System, Mental Health and Addictions, where she provided direct client support and held the positions of Smoking Cessation Coordinator and Gambling Coordinator. Sue-Ellen was also a small business manager for 15 years for a privately owned natural gas company, and served as an elected official for Township West Lincoln from 2003-14. Prior to 2003, she served as Chair of the Township's Committee of Adjustment for 10 years. Sue-Ellen was an OCSWSSW Council member from 2000-2010, during which she was elected to the Executive Committee for those same years and held a Vice-President position from 2001-2010.

Donald Panton – Elected Social Worker

Donald Panton, RSW, obtained a combined bachelor in gerontology and religious studies, and a bachelor of social work from McMaster University. He has certificates in palliative care, disaster chaplaincy and spiritual care, and recently completed field instructor training at McMaster University. Donald

has been working at Hamilton Health Sciences since 1994, most recently in medical social work. Prior to this position, he worked as a health care aide at Brantwood Life Care and was a part-time lecturer (fashion/clothing and textiles) at the University of West Indies in Jamaica. Donald currently volunteers as a church elder, adult Sabbath School teacher and treasurer at Hamilton East SDA Church, and as a disaster preparedness chaplain for Ontario Conference SDA Church. Donald has also served in various positions on the Unit Council of the Oncology unit, Grandview Adventist Academy school board, to name a few.

Vinita Puri – Elected Social Worker

Vinita Puri has worked as a professional social worker and family mediator since 2009. Vinita possesses a specialized honours BA in sociology from York University; a masters in social work from Wilfrid Laurier University and a masters in criminological research from the University of Cambridge (U.K.). In addition, she has acquired certifications in alternative dispute resolution; family mediation; solution focused therapy; cognitive behavioural therapy; mental health first aid; and crisis intervention stress management (CISM). At the present time, Vinita is a Clinical Director with Relationship Boutique. Relationship Boutique provides unique, professional and specialized services to support individuals, couples and families experiencing relational difficulties and life transitions. Vinita is passionate and committed to utilizing a strengths-based, anti-oppressive approach to working with all her clients. In 2017, Vinita was appointed to serve as an ambassador/advocate for the CNIB. She also participates as a board member of the Health Providers Against Poverty in Toronto. Vinita has been a Non-Council Committee member of the Standards of Practice Committee with the OCSWSSW and is looking forward to actively participating as a Council member.

Sophia Ruddock – Public Member

Sophia Ruddock was called to the Ontario bar in 1995 and has over 18 years of experience appearing before various administrative tribunals and agencies. She has practised in the areas of human rights, administrative law, health law and labour law. Currently, she acts as in-house counsel for an association, focusing on professional regulation.

Lisa Seburn – Elected Social Worker

Lisa Seburn was first elected to the OCSWSSW Council in 2016. She is a graduate of the Honours Bachelor of Social Work Program at the University of Western Ontario, as well as the Master of Social Work Program from Lakehead University. She is employed as a Social Worker and Team Leader at St. Joseph's Care Group in Thunder Bay, working with adults in a community-based mental health program.

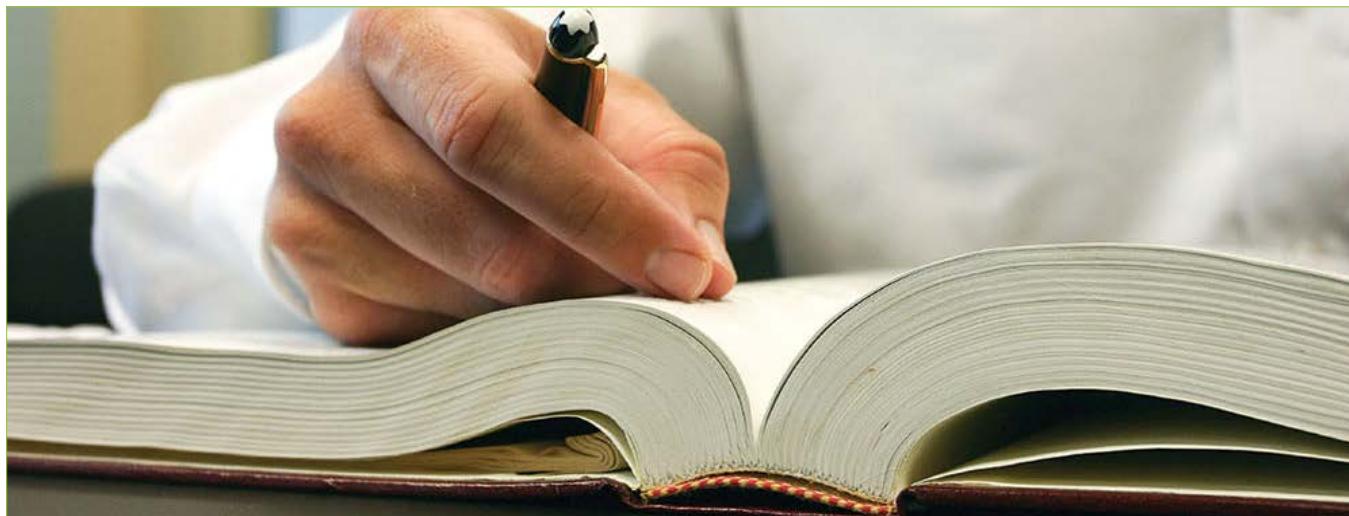
Déirdre Smith – Public Member

Déirdre Smith is the Manager of the Standards of Practice and Education unit of the Ontario College of Teachers where she has led the collaborative development of the Ethical Standards for the Teaching Profession and the Standards of Practice for

the Teaching Profession. Smith has also coordinated the policy development of over 350 Additional Qualification (AQ) course guidelines and programs for teacher and leadership education. Smith has presented nationally and internationally on many topics including educational leadership, ethical practice, ethical standards and standards of practice. She has been published in the areas of cases, teacher education, leadership, inclusive education and ethics. Her experience as a professional facilitator, school principal, education consultant, special education administrator, teacher educator, youth counsellor and classroom teacher inform her work in policy development, teacher education, leadership formation, professional learning and organizational development.

PRACTICE NOTES

WHAT'S LEGISLATION GOT TO DO WITH IT?



CHRISTINA VAN SICKLE, BSW, MSW, RSW, DIRECTOR, PROFESSIONAL PRACTICE

Practice Notes is an educational tool designed to help Ontario social workers, social service workers, employers and members of the public gain a better understanding of recurring issues dealt with by the Professional Practice Department and the Complaints Committee that may affect everyday practice. The

notes offer general guidance only and College members with specific practice inquiries should consult the College, since the relevant standards and appropriate course of action will vary depending on the situation.

Social work and social service work practice spans many diverse settings and client groups. There are variations in the approach, methodology and/

or modality that members use in response to the demands of particular situations. Just as approaches vary, so does the legislation that applies to members' practice. The applicable legislation will be dependent upon, and influenced by, the workplace setting and client population served.

In the course of professional practice consultations, it has come to light that some members are not aware of the legislation that applies to their practice, and others have not considered the impact of legislation on their practice. It is likely that most members did not enter their profession based on a desire to take a "deep dive" into legislation and the rule of law. Regardless, legislation sets out members' legal obligations as well as client rights and members' powers to act. Understanding the legislation that applies to one's practice is an essential component in providing ethical and professional client services.

Legislation provides direction on many important aspects of client services and members' professional responsibilities. Issues such as client access to records, child protection, consent, medical assistance in dying, substitute decision-making and using the title "psychotherapist" are all detailed in various pieces of legislation. *The Code of Ethics and Standards of Practice Handbook* stipulates that "College members maintain current knowledge of policies, legislation, programs and issues related to the community, its institutions and services in their areas of practice."¹ Indeed, the Standards of Practice work in tandem with applicable legislation to provide guidance to members in their practice.

As society evolves and changes, so does legislation. This further highlights the importance of maintaining current knowledge with respect to legislation. In the past year, important updates and changes have occurred in legislation such as the *Social Work and Social Service Work Act, 1998*, the *Regulated Health Professions Act, 1991*, and the newly proclaimed *Child, Youth and Family Services Act, 2017*. These

changes have had a significant impact on social work and social service work practice.

The following scenarios will highlight the importance of understanding the legislation governing members' practice and how legislation works in conjunction with the Standards of Practice. The discussion set out below is not intended to be a full consideration of the issues raised in the scenarios.

SCENARIO 1: CONSENT AND THE RECORD

A member works at a health care centre that serves children and youth with identified mental health issues. The member has been asked by a parent to provide a report to their child's school outlining the support strategies the member and the client have been working on. The parent explains that the school will be helping to monitor and address her child's behaviours. The parent also requests a copy of her child's file as she wants to better understand her child's progress and treatment. The member consulted with the College's Professional Practice Department to determine whether the member could provide a report to the child's school and a copy of the child's file to the parent.

When considering challenging practice situations, members should begin by considering how the Standards of Practice apply. Principle V: Confidentiality states that "College members comply with any applicable privacy and other legislation. College members obtain consent to the collection, use or disclosure of client information including personal information, unless otherwise permitted or required by law."² It is clear from this that the member would need to be aware of the privacy legislation that applies to her work. Additionally, it is indicated that the member must obtain consent to release client information, but from whom - the child or the parent?

¹ The Ontario College of Social Workers and Social Service Workers (OCSWSSW), *The Code of Ethics and Standards of Practice Handbook, Second Edition, 2008*, Principle II: Competence and Integrity, Interpretation 2.1.3.

² OCSWSSW, *The Code of Ethics and Standards of Practice Handbook, Second Edition, 2008*, Principle V: Confidentiality, Interpretation 5.1.

The member had reviewed the *Privacy Toolkit for Social Workers and Social Service Workers: Guide to the Personal Health Information Protection Act, 2004 (PHIPA)* (PHIPA Toolkit) on the College website. The member learned that PHIPA was established to create specific rules for the collection, use and disclosure of personal health information.³ The member also learned at work that under PHIPA her employer would be considered a health information custodian and that under PHIPA, as an employee of the health care centre, the member would be considered to be an agent of the health care centre. The member was encouraged to review the PHIPA Toolkit to understand the different roles and responsibilities of a health information custodian and an agent of a health information custodian under PHIPA.⁴

The member was unsure if under PHIPA the client's parent was able to consent to have the client's personal health information disclosed to the school. The topic of consent and capacity can be confusing, even more so when the client is a child or youth. The member was aware of several pieces of legislation that address consent and capacity, including PHIPA, the *Health Care Consent Act, 1996*, and the *Substitute Decisions Act, 1992*. It was suggested that the member have a fuller conversation with her supervisor regarding which piece of legislation applied to who was able to provide consent to the release of her client's information. It was also suggested that the applicable legislation might provide guidance on such questions as:

- whether the child or youth is capable of consenting to the disclosure of personal health information about themselves
- whether a parent can provide consent to the disclosure on behalf a child or youth
- whether the child or youth's age is relevant

- whether there are circumstances where a parent cannot provide consent to the disclosure
- how would a disagreement between a child or youth and their parent about the disclosure be handled

Additionally, many organizations have created policies that outline who is able to consent to the release of files, based on the legislation governing their organization. In the absence of a workplace policy, the member may wish to obtain a consultation with the employer's legal counsel to help determine the applicable legislation regarding consent and how the legislation applies to the question of who can consent to the disclosure of personal health information about the child or youth.

With respect to the parent's request for a copy of the child's file, the member again needs to consult the Standards of Practice and the applicable legislation. The Standards of Practice state that "College members comply with the requirements regarding access to and correction of client information including personal information in a record as set out in applicable privacy and other legislation. College members employed by an organization acquire and maintain an understanding of the organization's policies regarding access to and correction of information in a record. Such policies pertain to access requests by the clients themselves."⁵ Under PHIPA, an individual has a right of access to a record of personal health information about themselves with very few exceptions.⁶ But this record contains personal health information about the child or youth. Can the parent make a request to access the record of personal health information about the child or youth on behalf of the child or youth? Is the consent of the child or youth needed before sharing the record of personal health information about the child or youth with their parent? Again it was suggested

³ OCSWSSW, *Privacy Toolkit for Social Workers and Social Service Workers: Guide to the Personal Health Information Protection Act, 2004 (PHIPA)*, page 8.

⁴ Ibid, pages 14 – 21.

⁵ OCSWSSW, *The Code of Ethics and Standards of Practice Handbook, Second Edition, 2008*, Principle IV: The Social Work and Social Service Work Record, Interpretation 4.3.1.

⁶ *Personal Health Information Protection Act, 2004*, S.O. 2004, c. 3, Sched. A

that the member have a fuller conversation with her supervisor regarding which piece of legislation applied, how the legislation applies and whether the organization has a policy regarding this matter.

From this consultation, the member concluded that she would speak to her supervisor further to determine what legislation and/or policy applied to providing consent to the release of client records and to providing a copy of the child's file to the parent.

SCENARIO 2: PSYCHOTHERAPY AND CONTROLLED ACTS

A member in private practice called the Professional Practice Department regarding comments that a colleague had made about her practice. The member stated that she has been using the title "psychotherapist" in her practice and that she works with individuals who have serious thought and mood disorders. Some of her clients were referred to her from organizations where they had been given a mental health diagnosis, while others were self-referred and did not have a mental health diagnosis or connection with supports in the community.⁷ She stated that some of her clients greatly benefit from community support. In order for these clients to receive services, they needed to have a mental health diagnosis. Based on her assessment, the member had communicated a mental health diagnosis to the client as part of the process of obtaining the client's consent to the referral to the community support

agencies. The member's colleague informed her that communication of a diagnosis was a controlled act and she was not permitted to do this. The member believed that as she had access to perform the controlled act of psychotherapy, she was also able to communicate her determination of the client's mental health diagnosis.

Professional Practice staff discussed with the member that late in 2017, provisions in the *Regulated Health Professions Act, 1991 (RHPA)*⁸ were proclaimed into force which set out the controlled act of psychotherapy and authorize College members to perform it in compliance with the *Social Work and Social Service Work Act, 1998 (SWSSWA)*, its regulations and bylaws.⁹ This means that when practising psychotherapy, members must adhere to the Standards of Practice which include the requirement that "College members are responsible for being aware of the extent and parameters of their competence and their professional scope of practice and limit their practice accordingly."¹⁰ Therefore, it is a member's responsibility to determine if they are competent to provide psychotherapy. The member was directed to the *Practice Guidelines for Performing the Controlled Act of Psychotherapy* for more information.¹¹

The controlled act of psychotherapy became one of 14 controlled acts defined in the RHPA. A controlled act is an activity thought to have the potential of

⁷ In this issue of Practice Notes, mental health diagnosis refers to a DSM diagnosis. It does not refer to a social work diagnosis. The Glossary of *The Code of Ethics and Standards of Practice Handbook, Second Edition, 2008* states that "[A] social work diagnosis defines that series of judgments made by a social worker based on social work knowledge and skills in regard to individuals, couples, families and groups. These judgements: a) serve as the basis of actions to be taken or not taken in a case for which the social worker has assumed professional responsibility and b) are based on the Social Work Code of Ethics and Standards of Practice. Such judgments and the procedures and actions leading from them are matters for which the social worker expects to be accountable."

⁸ *Regulated Health Professions Act, 1991, S.O. 1991, c. 18.* In addition, as explained in footnote 7, making a mental health diagnosis (i.e. a DSM diagnosis) is not the same as making a social work diagnosis and is not within the scope of social work practice. While social workers are not authorized under the *Regulated Health Professions Act, 1991*, in the course of providing health care services to an individual, to "communicat[e] to the individual or his or her personal representative a diagnosis identifying a disease or disorder...", the *Social Work and Social Service Work Act, 1998 (SWSSWA)*, regulations and bylaws (including the Standards of Practice) impose further restrictions on the ability to make or communicate a diagnosis, since social workers must be aware of the parameters of their competence and their professional scope of practice and limit their practice accordingly.

⁹ At the same time, provisions in the SWSSWA were proclaimed into force that permit College members who are authorized to perform the controlled act of psychotherapy to use the title "psychotherapist," in compliance with certain conditions. See *Social Work and Social Service Work Act, 1998, S.O. 1998, c. 31, s. 47.2*

¹⁰ OCSWSSW, *The Code of Ethics and Standards of Practice Handbook, Second Edition, 2008*, Principle II: Competence and Integrity, Interpretation 2.1.1.

posing a risk of serious harm to clients. To protect the public, the RHPA restricts the performance of controlled acts, in the course of providing health care services to an individual, to certain regulated professionals who are legally authorized to perform them.

Professional Practice staff explained that the controlled act of psychotherapy is the only controlled act which College members are authorized to perform. It was emphasized that College members are not authorized to perform, in the course of providing health care services to an individual, the controlled act of "communicating to the individual or his or her personal representative a diagnosis identifying a disease or disorder as the cause of symptoms of the individual in circumstances in which it is reasonably foreseeable that the individual or his or her personal representative will rely on the diagnosis."

The member was surprised to learn that there are 14 controlled acts outlined in the RHPA, and that College members are only authorized to perform one of them. She stated that she would conduct her own research into the legislation to learn more. She also stated that she would obtain a legal opinion about next steps and discuss with community service providers potential different routes for client referral. It was also suggested to the member that she could incorporate this learning into her annual Continuing Competence Program learning activities.

The previous examples demonstrate the important role that legislation plays in social work and social service work practice. As stated, it is a member's professional responsibility to be familiar with the legislation that applies to their practice. This understanding allows members to competently "provide clients with accurate and complete information regarding the extent, nature, and limitations of any services available to them."¹²

CONSIDERING LEGISLATION

Many members find legislation intimidating, and there is no question that legislation is often lengthy and challenging to comprehend. Some members have commented that they are motivated by providing services, not researching legislation, while others state that they have heavy workloads that they feel limit the time available to familiarize themselves with legislation.

Despite these views, legislation is directly linked to providing services. In order to provide professional and ethical services, it is essential to understand the rights of clients as well as one's legal obligations. Not adhering to legislation could put clients at risk, likely requiring corrective action and potentially aggravating already difficult situations. Becoming familiar early in their practice with the legislation that impacts a member's practice will pay dividends later on.

Members can seek assistance in determining what legislation applies to their practice by discussing this issue with their manager or supervisor. Some members may have access to a professional practice lead, privacy office or legal counsel who could also assist. Members are encouraged to obtain a legal consultation when considering how legislation impacts challenging practice scenarios. While the College does not require members to obtain their own professional liability insurance, it strongly advises members to consider this coverage as it provides access to free legal advice, over the phone.

All Ontario legislation is available online. Members are able to search for the legislation that is applicable to their work at <https://www.ontario.ca/laws>. This website, called "e-laws," provides useful definitions and tips for how to navigate the website and the pieces of legislation. While it is true that some pieces of legislation are lengthy, it is likely that not all of the content will apply to a member's practice. Using the "find" function in a web browser

¹¹ Regulated Health Professions Act, 1991, S.O. 1991, c. 18.

¹² OCSWSSW, *The Code of Ethics and Standards of Practice Handbook, Second Edition, 2008*, Principle III: Responsibility to Clients, Interpretation 3.1.

can assist members to search for key words contained within the legislation, thereby focusing their attention on relevant issues. Legislation can be made more accessible by searching for the issues that are applicable to members' practice.

College members are not lawyers. While being an expert on legislation is not required, understanding the legislation that impacts a member's practice is essential. Understanding the legislation that applies to a member's practice and clients will help to ensure that they deliver professional and ethical services.

GETTING TO KNOW YOUR LEGISLATION – CHECKLIST

- I have consulted with my manager/supervisor about the legislation that is applicable to my workplace and practice.
- I have found the legislation applicable to my practice online. (Ontario legislation can be accessed at www.e-laws.gov.on.ca)
- I have used web browsing search functions to assist me in focusing on the applicable areas in the legislation.
- I have reviewed the legislation that is applicable to my practice in general, and to this particular practice issue.
- I have obtained a legal opinion, if necessary.
- I have reviewed *The Code of Ethics and Standards of Practice Handbook* and have considered the standards and interpretations relevant to my practice.
- I have reviewed the College website to determine if there are resources that could assist me in understanding legislation, such as the [Psychotherapy webpage](#), [Practice Notes](#), [Practice Guidelines](#) or the [PHIPA Toolkit](#).

For more information about this or other practice issues, please contact the Professional Practice Department at practice@ocswssw.org

RECENT SERVICE DISRUPTION

THE COLLEGE'S CONTINUED COMMITMENT TO TRANSPARENCY

As part of the College's ongoing commitment to transparency, a Message from the Registrar and CEO was distributed to members last month advising of a service disruption that occurred from August 24-29 that affected email communication and access to the member portal and Online Register.

We sincerely apologize for any inconvenience this may have caused our members and appreciated your understanding during the resumption of services. As previously mentioned, there was no indication that a data breach occurred during this service disruption. The College remains vigilant in protecting your confidential information and committed, as one of our strategic priorities, to maximizing technology in the work of the College.

If you emailed the College during the service disruption, we strongly advise that you confirm your email was received by the appropriate department or individual.

At the College, we strive for clear, timely and open communication with our members and stakeholders. We will continue our commitment to transparency in recognition of our mandate to protect the public interest.

Q&A

CAN FIELD EDUCATION BE USED TOWARDS THE COMPLETION OF MY CONTINUING COMPETENCE PROGRAM?

I am an OCSWSSW member who regularly provides field education to social work/social service work students as part of my practice. Can I use this experience as a learning activity towards the completion of my Continuing Competence Program (CCP)?

Yes. The CCP's primary purpose is to promote quality assurance with respect to the practice of social work and social service work. The program encourages members to continually enhance their knowledge and remain up to date in their practice throughout their careers.

In keeping with an adult education model, the CCP requires members to identify their own professional learning goals and activities. The CCP defines learning activities broadly in order to enable all members to participate fully in this mandatory program. Members are free to choose what activities they will work on in order to achieve their learning goals; field instruction in social work or social service work could certainly be an accepted learning activity.

For more information on the CCP, please visit the [College website](#) or contact ccp@ocswssw.org.

DISCIPLINE DECISION SUMMARIES



The Discipline Committee's Decision and Reason for Decision is published pursuant to the Discipline Committee's penalty order. The College publishes summaries of decisions and/or provides links to full-text, neutralized versions of its decisions. Information that is subject to a publication ban or that could reveal the identity of witnesses or clients, including the name of the facility, has been removed or has been anonymized.

By publishing decisions, the College endeavours to:

- Illustrate for social workers, social service workers and members of the public what does or does not constitute professional misconduct.
- Provide social workers and social service workers with direction about the College's Standards of Practice and professional behaviour, to be applied in future, should they find themselves in similar circumstances.

- Implement the Discipline Committee's decision.
- Provide social workers, social service workers and members of the public with an understanding of the College's discipline process.

JOANN LEE, #321090

The Discipline Committee of the Ontario College of Social Workers and Social Service Workers granted a motion to stay allegations of professional misconduct in relation to JoAnn Lee, a former social work member, with respect to allegations that she violated sections 2.2, 2.6, 2.11 and 2.36 of O. Reg. 384/00 (Professional Misconduct) to the *Social Work and Social Service Work Act*, Principles II, III and V of the *Code of Ethics and Standards of Practice Handbook* (Standards of Practice), and interpretations 2.2.1, 2.2.3, 2.2.5, 2.2.8, 3.7, 5.1 and 5.3 of the College's Standards of Practice.

Read the College Discipline Committee's decision summary and reasons at: https://www.ocswssw.org/wp-content/uploads/2018/06/Decision_Reasons_JoAnn_Lee_321090_April2018.pdf

KERRI-LYNNE CORNISH, #800897

The Discipline Committee of the Ontario College of Social Workers and Social Service Workers found that Kerri-Lynne Cornish, a former social work member, is guilty of professional misconduct in that she violated sections 2.2, 2.5, 2.6, 2.10, 2.28 and 2.36 of O. Reg. 384/00 (Professional Misconduct) to the *Social Work and Social Service Work Act*, Principles I, II, III and VIII of the *Code of Ethics and Standards of Practice Handbook* (Standards of Practice), and Interpretations 1.5, 1.6, 2.1.5, 2.2.1, 2.2.2, 2.2.3, 2.2.8, 3.2, 3.7, 8.1, 8.2, 8.3, 8.4, 8.6, and 8.7 of the College's Standards of Practice and commented on in the Code of Ethics, paragraphs 1, 3, 5 and 8.

Read the College Discipline Committee's decision summary and reasons at: https://www.ocswssw.org/wp-content/uploads/2018/09/Neutralized_Decision_and_Reasons_Kerri-Lynne_Cornish_800897.pdf

LORI WELDON, #801881

The Discipline Committee of the Ontario College of Social Workers and Social Service Workers found that Lori Weldon, a former social work member, is guilty of professional misconduct in that she violated sections 2.1, 2.15, 2.2, 2.28, 2.29 and 2.36 of O. Reg. 384/00 (Professional Misconduct) to the *Social Work and Social Service Work Act*, Principles II, III and VII of the *Code of Ethics and Standards of Practice Handbook* (Standards of Practice), and Interpretations 2.2.5, 2.2.7, 3.1, 7.1.1, 7.1.5, 7.3, 7.3.3, 7.4 of the College's Standards of Practice.

Read the College Discipline Committee's decision summary and reasons at: https://www.ocswssw.org/wp-content/uploads/2018/06/Decision_Reasons_Lori_Weldon_801881.pdf

BULLETIN BOARD

CHANGE OF INFORMATION NOTIFICATION

If you change employers or move, please advise the College in writing within 30 days. The College is required to have the current business address of its members available to the public. Notification of change of address can be done through the website at ocswssw.org, emailed to info@ocswssw.org, faxed to 416-972-1512 or mailed to the College office address. In addition to providing your new address, please also provide your old address and College registration number.

If you **change your name**, you must advise the College of both your former name(s) and your new name(s) in writing and include a copy of the change of name certificate or marriage certificate for our records. The information may be sent by fax to 416-972-1512 or by mail to the College office address.

If you wish to **update your education**, you must ask your academic institution to forward an official transcript with the institution seal and/or stamp directly to the OCSWSSW.

PARTICIPATION IN THE WORK OF THE COLLEGE

If you are interested in volunteering for one of the College's committees or task groups, please email Monique Guibert at mguibert@ocswssw.org to receive an application form. The College welcomes all applications; however, the number of available positions for non-Council members is limited by the statutory committee requirements in the *Social Work and Social Service Work Act* as well as the bylaws and policies of the College.

COUNCIL MEETINGS

College Council meetings are open to the public and are held at the College office in Toronto. Visitors attend as observers only. Seating at Council meetings is limited. To reserve a seat, please fax your request to the College at 416-972-1512 or email mguibert@ocswssw.org. Please visit the College's website for the dates and times of upcoming meetings.

MISSION STATEMENT

The Ontario College of Social Workers and Social Service Workers protects the interest of the public by regulating the practice of social workers and social service workers and promoting ethical and professional practice.

VISION STATEMENT

The Ontario College of Social Workers and Social Service Workers strives for organizational excellence in its mandate in order to: serve the public interest; regulate its members; and be accountable and accessible to the community.

Perspective is the official publication of the Ontario College of Social Workers and Social Service Workers.

HOW TO REACH US

The College is open Monday to Friday from 9 a.m. to 5 p.m.

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