
PURPOSE

By publishing this summary, the Manitoba College of Social Workers (MCSW) endeavors to:

- Illustrate for social workers and members of the public, what does or does not constitute unprofessional conduct
- Provide social workers with direction regarding their professional responsibilities

SUMMARY

On March 20, 2017, MCSW became aware that a Registered Social Worker (the RSW) failed to ensure timely reporting of an investigation into her professional conduct by another social work regulatory body in Canada, in accordance with the requirements of *The Social Work Profession Act (the Act)* and *The Social Work Profession Regulation (the Regulation)*.

Although the RSW became aware of a complaint and investigation into her professional conduct in another jurisdiction in June 2016 and acknowledged responding to that complaint in August 2016, the RSW did not report this investigation to MCSW until March 2017.

APPLICABLE PROFESSIONAL OBLIGATIONS

The Regulation requires the registrar to consider whether an applicant for registration “is the subject of a current investigation or proceeding relating to the applicant’s suitability to practise social work in Canada or elsewhere” [subparagraph 4(1)(7)(a)]. The Regulation also requires an applicant to “satisfy the registrar that his or her past or present conduct affords reasonable grounds to believe that the applicant will engage in professional practice safely, competently and ethically” [paragraph 4(2)(a)]. Where there is a change to this or any other information that an applicant provides in the context of his or her initial registration or renewal application, the applicant must submit the new information to the registrar “as soon as possible” [Section 11].

When completing registration and/or renewal documents, all MCSW applicants must indicate their agreement to adhere to *the Act*, the Regulation, The Manitoba College of Social Workers By-Laws and The Manitoba College of Social Workers Standards of Practice and Code of Ethics. Applicants must also

affirm that they will notify MCSW in a timely manner of any changes to information provided in their application.

In view of the available information, the Complaints Committee to which this matter was referred concluded the RSW failed to adhere to the following provisions of the legislation and the Code of Ethics:

Social Work Profession Regulation – Section 11 - Changes to be Reported

If there is a change in the information that a member has provided under sections 4 to 9, the member must submit the new information to the registrar as soon as possible.

Code of Ethics - Value 4 – Integrity in Professional Practice

Social Workers maintain a high level of professional conduct by acting honestly and responsibly, and promoting the values of the profession.

DECISION:

MCSW is the regulatory body for social workers in Manitoba. Self-regulation is a privilege granted through legislation and each RSW has a responsibility to adhere to the requirements set out in legislation, as well as the recognized and approved standards of practice and ethical guidelines established by the profession.

The Complaints Committee formally records its disapproval of the lack of professionalism exhibited by the RSW and the potential risk posed to the public by her failure to report to MCSW in a timely manner another social work regulatory body's investigation into her professional conduct. The RSW's delay in reporting impeded MCSW's ability to conduct a timely evaluation of this matter in the interests of ensuring public protection consistent with the primary mandate of the professional regulatory body.

Although there is sufficient evidence to authorize charges of professional misconduct, the Complaints Committee has determined that a censure will adequately protect the public interest by ensuring social workers are aware of their professional responsibility to report as soon as possible changes to information provided in their applications for and renewals of registration.

The RSW was censured by the Complaints Committee at a teleconference meeting on April 13, 2018

in accordance with paragraph 31(1)(d) of *the Act*. Pursuant to that paragraph of *the Act*, the RSW agreed to accept the censure and the Complaints Committee determined that no other action is to be taken against the RSW with respect to this specific matter of concern. The Complaints Committee determined that the interest in educating the public and deterring similar activity in the future weighed in favour of publishing this censure, pursuant to 33(2) of *the Act*.