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## PURPOSE

By publishing this censure, the College endeavors to:

- Illustrate for social workers and members of the public, what does or does not constitute unprofessional conduct
- Provide social workers with direction about the College's standards of practice, ethics and professional conduct

## SUMMARY

The Registered Social Worker (the RSW) was registered with the Manitoba College of Social Workers (the College) or the former Manitoba Institute of Registered Social Workers from May 17, 2007 to March 31, 2018.

On May 2, 2017, the College received a complaint alleging that the RSW inappropriately accessed case files of one or more individuals without authorization.

Upon investigation, it was confirmed that the RSW completed a search for the electronic case file of one individual, with whom she did not have a social worker-client relationship, through her employer's electronic information system. The employer confirmed that the RSW was not assigned to this case. Neither the RSW nor the employer provided verification that the RSW had authorization to access the case file.

## APPLICABLE PROFESSIONAL OBLIGATIONS

The Complaints Committee considered the following sections of the College's Standards of Practice and Code of Ethics, and, in view of the available information, concluded the RSW failed to adhere to the following provisions:

*Standard of Practice 3 – Integrity of Professional Practice*

Social Workers have the obligation to establish and maintain clear and appropriate boundaries in their professional relationships. Boundary violations are understood as any behaviour that infringes on trust through exploitation of the vulnerability of the client.

*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.

*Code of Ethics - Value 5 – Confidentiality in Professional Practice*

Social Workers respect the importance of the trust and confidence placed in the professional relationship by clients and members of the public. Social Workers respect the client's right to confidentiality of information shared in a professional context.

**DECISION:**

The College 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 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 in failing to adhere to the College's Standards of Practice and Code of Ethics. Social workers must conduct their professional practice with integrity. The failure to observe client confidentiality is contrary to the high standard of trust which the public expects of social workers. Therefore, the RSW's actions are harmful to the public interest and the interest of the profession as a whole.

Although there is sufficient evidence to authorize charges of professional misconduct, the Complaints Committee acknowledges that the RSW has been registered since 2007 without a disciplinary record. The Complaints Committee has therefore determined that a censure will adequately protect the public interest in social workers maintaining a high level of professionalism, by respecting the sensitive confidential information accessible to social workers in the context of their social work practice.

The RSW was censured by the Complaints Committee at an in-person meeting, in accordance with paragraph 31(1)(d) and Subsection 33(1) of the *Social Work Profession Act* (the SWPA). Pursuant to that paragraph of the SWPA, the RSW agreed to accept the censure and the Complaints Committee determined that no other action is to be taken against the RSW in respect of these matters. The Complaints Committee further 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 SWPA.

The Complaints Committee orders the RSW to pay costs of \$1000.