

Anonymous Complaints Policy

Purpose

The purpose of this policy is to ensure the Manitoba College of Social Worker's (MCSW) complaints process is fair, transparent, proportionate, and aligned with right-touch regulatory principles, while upholding procedural fairness. This policy formally establishes that anonymous complaints will not be accepted as formal complaints as outlined in *The Social Work Profession Act*.

Legislative Authority

This policy is made under the authority of *The Social Work Profession Act*, which mandates the Manitoba College of Social Workers to:

- Receive and investigate all complaints regarding registrants (current and former within 5 years);
- Act in the public interest; and
- Conduct all regulatory processes in accordance with principles of procedural fairness and natural justice.

Policy Statement

The MCSW does not accept anonymous complaints. All formal complaints must be submitted by a clearly identified complainant and must contain sufficient information to allow the registrant to:

- Know the identity of the complainant; and
- Know the full particulars of the allegation(s).

This policy ensures:

- Compliance with procedural fairness;
- Transparency and accountability in regulatory decision-making;
- Protection of registrants' legal rights; and
- Proportionate regulatory response consistent with right-touch regulation.

Rationale

Anonymous complaints are not accepted because they:

- Undermine procedural fairness by preventing registrants from knowing the case against them;
- Limit the Complaints Committee's ability to assess veracity;
- Restrict the ability to gather further evidence;
- Increase the risk of vexatious, retaliatory, or malicious complaints.

Requiring complainant identification strengthens:

- Reliability of the regulatory process;
- Public confidence in the complaints system; and
- The defensibility of decisions made under the Act.

Procedural Fairness

In accordance with principles of natural justice, registrants are entitled to:

- Timely notice of a complaint;
- Full disclosure of the allegation(s);
- Disclosure of the identity of the complainant; and
- A meaningful opportunity to respond before any regulatory decision is made.

Right-Touch Regulatory Alignment

This policy reflects right-touch regulation by ensuring that:

- Regulatory intervention is proportionate to risk;
- Action is based on credible and verifiable information;
- Decision-making is transparent and accountable; and
- Regulatory resources are focused.

Exceptions

Anonymous information may be considered where:

- There is an immediate and serious risk to public safety; and
- The concern can be independently verified through other lawful means.