

# NOTICE OF CENSURE of Heather Stanley



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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

Heather Stanley was registered with the Manitoba College of Social Workers (the College) or the former Manitoba Institute of Registered Social Workers as a Registered Social Worker in the Practicing Category from May 23, 2013 to February 23, 2016. From February 24, 2016 to March 31, 2017, Ms. Stanley (the former Member) was registered in the Non-Practicing Category.

On May 25, 2018, the College received a complaint regarding the former Member, alleging the former Member did not plan for her client appropriately, resulting in an emotionally traumatic experience for the client. In the course of the investigation, it was discovered that the former Member may have engaged in the practice of social work and identified herself as a Social Worker without a Certificate of Practice while in the Non-Practicing Category.

Upon evaluating this matter, the Complaints Committee confirmed that the former Member did not complete an assessment and appropriately plan for her client resulting in a preventable, emotionally traumatic experience for the client. It was further confirmed that the former Member engaged in the practice of social work and identified herself as a Social Worker without a Certificate of Practice while in the Non-Practicing Category.

## APPLICABLE PROFESSIONAL OBLIGATIONS

The Complaints Committee considered the following sections of the College's Standards of Practice, General Operating By-Law and *The Social Work Profession Act*, and, in view of the available information, concluded the Member failed to adhere to the following:

**The Social Work Profession Act**

**Representation as a social worker**

- 3(1)** No person except a social worker who holds a current certificate of practice shall
- (a) represent or hold out, expressly or by implication, that he or she is a practising social worker or is entitled to engage in the practice of social work as a social worker; or
  - (b) use any sign, display, title or advertisement implying that he or she is a practising social worker.

**Use of title**

- 3(2)** No person except a social worker who holds a current certificate of practice shall use any of the following designations or abbreviated designations, a variation of any such designation or an equivalent in another language:
- (a) "social worker" or "registered social worker";
  - (b) "S.W." or "R.S.W.".

**Amended and Re-Styled By-Law No. 1 of The Manitoba College of Social Workers**  
**(General Operating By-Law)**

**Rights, privileges and responsibilities of members and social work students**

5-1 The rights, privileges and responsibilities of members and social work students are established as follows: ...

- (d) Non-practising members who hold a certificate of registration are: ...
  - (vi) not able to practice as a registered social worker and use the initials R.S.W. (or RSW) after their names.

**Standards of Practice**

**Standard 4 – Social Work Practice Methods**

**Practice Directives**

4.1 Social Work practice will be conducted in accordance with a professional process that includes phases of engagement, assessment, planning, intervention, evaluation and termination.

**DECISION**

The College is the regulatory body for Social Workers in Manitoba. Self-regulation is a privilege granted through legislation and each Member 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 Member in failing to adhere to *The Social Work Profession Act* and College's Standards of Practice and General Operating By-Law. Social Workers must conduct their professional practice with integrity. The failure to assess and plan for a client and the unlawful use of the titles Social Worker or RSW title are contrary to the high standard of trust which the public expects of Social Workers. Therefore, the Member'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 Member was registered from 2013 until 2017 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 in their social work practice.

The former Member was censured by the Complaints Committee on October 4, 2019, 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 former Member agreed to accept the censure and the Complaints Committee determined that no other action is to be taken against the former Member 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 Subsection 33(2) of the SWPA.

In accordance with Subsection 33(3) the Complaints Committee endeavors to minimize costs to the membership of the College by ordering the repayment of complaints investigation costs by the censured Member/former Member. As such, the former Member agreed to repay \$1000, as partial recovery of investigation costs.