



**Social Workers
Registration Board**
Kāhui Whakamana Tauwhiro

**WHEN AN
ANNUAL PRACTISING CERTIFICATE
IS REQUIRED**

**REFER PART 2 OF THE SOCIAL WORKERS
REGISTRATION ACT 2003**

POLICY STATEMENT

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1. Purpose

The purpose of this policy is to provide guidance for registered social workers in relation to:

- determining when a registered social worker needs to hold a current practising certificate;
- defining the General Scope of Practice for social work
- guidance of what social workers do;
- whether an individual is practising as a social worker (regardless of the title of their role).

2. Background

The Social Workers Registration Act 2003 (the SWR Act) established the Social Workers Registration Board (SWRB) and governs registered social workers in New Zealand.¹

The principal purpose of the SWR Act is to protect the safety of members of the public by providing or prescribing for mechanisms to ensure that social workers are competent to practise, accountable for the way in which they practise and to enhance the professionalism of social workers.

Under the SWR Act it is not mandatory to register as a social worker in order to practise social work in New Zealand. However, once a person is registered as a social worker they must comply with their legal obligations under the SWR Act.

To achieve registration as a social worker an applicant must demonstrate that they have an appropriate qualification or sufficient practical experience (section 13) and are considered fit and proper person for registration and that they are competent to practise (together with additional criteria as required under section 6 of the SWR Act).² *Registration alone does not entitle a practitioner to legally practise social work.*

To legally practise social work in New Zealand a registered social worker must hold a practising certificate. The requirement to hold a practising certificate is the fundamental mechanism by which the purposes of the SWR Act are achieved. A practising certificate demonstrates an individual has *current* entitlement to practise social work and provides the public with assurance that the social worker is fit and competent to practice. The scope and practice of social work is described in parts 6 and 7 below.

3. Legal requirements under the Social Workers Registration Act 2003 (SWR Act)

In order to practise as a registered social worker in New Zealand it is necessary to:

¹ Legislation to amend the Act is currently before the House. This policy will be updated following any changes to the Act.

² For a full explanation of registration criteria please see relevant policies on our website www.swrb.govt.nz

- be registered by the SWRB; *and*
- hold a current practising certificate.

Holding a current practising certificate is a mandatory requirement for any registered social worker who is employed or engaged in social work.³

It is professional misconduct under section 82(2)(b) of the SWR Act for a registered social to claim or hold himself or herself out to be registered while not holding a current practising certificate.

The SWRB will take very seriously any registered social worker suspected of practising social work without a current practising certificate. The SWRB will refer any registered social worker suspected of practising without a current practising certificate to the Chair of the Social Workers Complaints and Disciplinary Tribunal. Subject to the particular facts of the case, the Chair may refer such social workers to a Complaints Assessment Committee for investigation.

4. Employers of social workers

It is important that employers of social workers understand the obligations and legal requirements on them and their employees. It is not the role of employers to define what constitutes 'practising social work' and the requirement to hold a practising certificate cannot be avoided because an employer does not require a social worker to be registered.

If there is any doubt over whether a role could be considered 'practising social work', employers should contact the SWRB and discuss the role and job description. An employer cannot decide if a practising certificate is required. This is a decision for the SWRB.

Employers need to be aware that under section 148 (4) of the SWR Act it is an offence to hold an employee out as a registered social worker knowing that the employee does not hold a current practising certificate.

5. Social Work Assistants and Social Service Workers

As with all caring professions there is often not a precise line that demarcates the bodies of knowledge between two professions, and for those working at the "intersection points" it can be confusing. In particular there may be questions around the responsibilities of social work assistants and social service workers, both of whom make a valuable contribution within the sector. It is useful to clarify how these roles differ to those of social worker, especially in the context of whether an APC is required.⁴

Social Work Assistants work under the direction of social workers and work to achieve the aims of social work. While they may contribute to social work assessments and planning they do not have decision making responsibility and social workers are

³ Section 25 SWR Act

⁴ The Association for Social Workers in Aotearoa New Zealand is currently developing guidance for social work assistants and social service workers.

ultimately responsible for assessments, planning and any statutory report writing. Social Work Assistants do not provide therapeutic services but provide supportive services. Generally a social work assistant assists with practical support, administrative support, accessing and establishing resources and basic needs such as food, clothing, transport, housing and benefits. They can also assist social workers running community based programmes.

Social Service Workers often have a qualification structure NZQA Level 2-7. While social work has a general scope of practice (see below) that specifies that social workers use social work knowledge, skills, interventions and strategies, *social service work uses social service work knowledge, skills, interventions and strategies*. Social service workers often work under professional and managerial supervision. The critical difference between social work and social service work relate to the formal levels of training and education which impact on depth of knowledge and theoretical richness, ability to analyse, ability to critique, ability to test and to seek new knowledge. On a more practical level, as an example, a social service worker would be able to apply basic problem solving skills and provide general support to a client and link the client to other helping resources. A social worker however, based on their advanced level of therapeutic knowledge and skill, would also be able to assist the client in dealing with the issues that result from past trauma.

Registered Social Workers employed in a social service role. Registered social workers may sometimes choose to be employed in an assistant, support or social service role. The decision about whether a practising certificate is required in that case needs to be made on a case by case basis, with regard to the distinctions outlined above and the scope of practise.

If you are unsure about whether the role you are working in is required to have a practicing certificate you can contact the SWRB for clarification.

Warning: if you are employed in a social service role without holding an APC you must be careful to work within the boundaries of your role. If you hold yourself out to be a registered social worker when you do not hold an APC or you begin to practise social work by taking on more responsibility, or undertake tasks that are considered to be social work tasks, you may face disciplinary action.

6. Determining if an annual practising certificate is required

Registered social workers:

In accordance with section 25 of the SWR Act, the SWRB's policy is that a registered social worker must hold a current practising certificate if any of the following criteria apply:

1. if the provision of services falls within the general scope of practice or the definition of the practice of social work (as outlined below in part 7 and 8);
2. if the individual is using social work knowledge, skills, expertise and competence that gave eligibility to apply for registration, and /or is working in a context where there could be an issue of public safety;

3. this is not restricted to provision of direct front line social work and includes supervisory, management and teaching roles or those that have the ability to influence client outcomes.

For the avoidance of any doubt:

A registered social worker is required to hold a current practising certificate if:

- a. they are providing supervision and/or oversight to another social worker;
- b. they are providing education and/or training in social work;
- c. the employer requires the role to be filled by a registered social worker or equivalent profession; and
- d. they are practising social work *even if* the role is not titled “social worker” (refer to 7 and 8 below) and *even if* their employer *does not* require the role to be filled by a registered social worker or the employer does not wish to pay for the practising certificate.

The Social Workers Complaints and Disciplinary Tribunal also provides a perspective and possible precedents on when an Annual Practising Certificate is required.

It is the social workers individual responsibility to comply with their personal legal obligations. The SWRB registers individual social workers, not employers.

7. Social Work – General Scope of Practice

Social workers are employed in various positions. Some of these positions are not titled ‘social worker.’

General Scope of Practice:

Social workers are registered professionals who are educated to work collaboratively with clients and communities to assess, manage and evaluate individual and interpersonal situations incorporating analysis of environmental, cultural, structural, societal and economic issues. Social work seeks to enable and empower people and their communities to address life challenges, enhance well-being and challenge societal barriers. Across a variety of practice settings, social workers use indigenous, social sciences and humanities knowledge, social work theories, skills, strategies and interventions. Principles of social justice, human rights, collective responsibility and respect for diversities are central to social work practice.

Social workers assess and manage risk, trauma and safety and apply critical thinking and professional judgment.

Social workers create and review social policy, undertake socio-political research, community development, community organising, networking and advocacy in relation to social justice, poverty and inequality.

Social workers use their expertise in professional and/or team leadership, social work management, supervision, coaching, mentoring, teaching and tutoring social work,

consultancy and advisory roles.

Such practice is undertaken in accordance with Te Tiriti o Waitangi based practice, the IFSW IASSW joint definition of social work, the Social Work Registration Board's Code of Conduct and 10 core competencies, the ANZASW's Code of Ethics and within the generally accepted standards relevant to the individual social worker's area of practice and level of expertise.

8. What is the Practice of Social Work?

To assist interpretation, especially for persons in non-traditional or role-emergent practice contexts, the SWRB developed a definition of the practice of social work which is set out below:

The Practice of Social Work – what do social workers do?

The Social Workers Registration Board defines the practice of social work as the following:

1. *Wherever possible, establishing collaborative relationships with clients and their communities to overcome barriers and obtain support, based on an understanding of their history and the personal, spiritual, whānau, social, and cultural meanings of who they are and what they want to achieve. 'Client' includes but is not limited to individuals, family, whānau, hapū, iwi, groups, organisations, communities, staff, supervisees and students.*
2. *The assessment and evaluation of client situations and needs incorporating analysis of structural, cultural, social and economic issues using indigenous, social sciences and humanities knowledge, social work theories, skills, strategies and interventions.*
3. *Across a wide range of practice settings work collaboratively with clients to:*
 - a. *Identify, explore and assess strengths, needs, situations, and support networks and understand the client's perspective in order to determine and prioritise goals;*
 - b. *Analyse micro, meso and macro influences on clients and the client's social system;*
 - c. *Develop plans to enhance client well-being;*
 - d. *Enhance their well-being, resilience and ability to cope with major life stresses such as grief, loss, trauma and other major events and challenges. The focus of this work may be at personal and/or systemic levels;*
 - e. *Research, assess and refer clients to community resources. This includes working with clients to develop their capacity and confidence to advocate for themselves or providing or arranging advocacy for people who do not have a voice, as well as negotiating and challenging institutional barriers.*
 - f. *Review and reflect on goals, plans, situations and modify these if required.*

4. *Apply critical thinking and professional judgement to assess and manage risk where there is potential or actual abuse, neglect or harm to self and others. Interventions may include the use of statutory power.*
5. *Direct practice with clients in the context of a 'front line' role which may include counselling and case management. This could be as a sole practitioner or in a team or roopu.*
6. *Professional and/or team leadership, social work management, supervision, coaching, mentoring, consultancy and advisory roles where the person influences the practice of social work. 'Practice' is wider than 'front line' social work and may be paid or voluntary.*
7. *Teaching and tutoring social work practice, theory and skills.*
8. *Social policy analysis, policy creation and review and practice development, as well as socio-political research.*
9. *International, social and community development; community organising, networking and advocacy in relation to social justice, poverty and inequality. Maximizing strengths or assets already existing in communities; developing and supporting groups or organisations to build resilience and enhance social well-being and functioning.*
10. *Engaging in processes to ensure competence in the above.*

Examples of people who typically need a practising certificate are social workers who are:

- A social work service manager/advisor/supervisor or leader
- A social work educator
- Working on a voluntary basis if social work skills, knowledge and expertise is required
- Working part-time
- Front line social workers
- Working as needs assessor or case managers
- Working as a professional social work advisor for ACC, Ministry of Social Development, DHBs or NGOs.

NB This policy is a guide only. Please contact the Registrar if you are unsure to discuss your situation and whether or not you should hold a practising certificate.

References

1. Social Workers Registration Act 2003
2. ANZASW IFSW and IASSW joint definition of practice
3. *'Advice Note: Roles and Tasks Requiring Social Workers – Consultation Document'* 2013, The College of Social Work, London
4. *'The Business Case of Social Work with Adults – A Discussion Paper'* December 2012, The College of Social Work, London
5. *CAC v Going* RSW8/D1/SWDT/2016; *CAC v Angelo* RSW9/D1/SWDT/2015
6. Marie Connelly and Louise Harms (eds) *Social Work – Contexts and Practice* 3rd ed, 2013, Oxford University Press, Australia and New Zealand
7. *'Social Work Scope of Practice'* Paper Canadian Association of Social Workers, 2008
8. *'Position Paper on Scopes of Practice'* Ontario College of Social Workers and Social Service Workers, October 2008.