



**Social Workers
Registration Board**
Kāhui Whakamana Tauwhiro

MANDATORY SOCIAL WORKER REGISTRATION

A Discussion Paper

Prepared by: The Social Workers Registration Board
Kāhui Whakamana Tauwhiro

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INTRODUCTION

PURPOSE OF THIS DISCUSSION DOCUMENT

The Social Workers Registration Board (the Board) wants to hear your views on whether we should move from voluntary to mandatory social worker registration. This document provides points to consider and background information to help you provide feedback on this issue. Your feedback will help to inform any future reports the Board makes to the Minister for Social Development and Employment about changes to the current law on social worker registration.

The nature of social work means that social workers are often engaging with vulnerable individuals, families and communities who are coping with stressful life events. It is important that people in vulnerable situations are protected from any harm which may result from poor social work practice. The Government is focused on improving workforce capability to protect our most vulnerable members of society. The Board has recommended introducing mandatory social worker registration to help achieve this.

In 2003, voluntary registration of social workers was introduced with the passing of the Social Workers Registration Act (the Act). The Act helps to provide the public with the assurance that Registered Social Workers meet professional standards of competent practice, undertake ongoing professional development and are held accountable for their practice. The Act created the Board and the Social Workers Complaints and Disciplinary Tribunal. The Complaints and Disciplinary Tribunal provides additional protection to the public from poor social work practice. This protection is currently only available where the public's engagement is with a Registered Social Worker. The Complaints and Disciplinary Tribunal has no jurisdiction over a social worker who is not registered.

Voluntary Registration (Certification)

The Act introduced a certification model of regulation. Under a certification system, a registration board certifies that individuals are competent to practise social work. Only people who have successfully met all the registration criteria and completed a competency assessment can use the title 'Registered Social Worker'. Under a certification system, people can still practise using the title of 'social worker' without being registered.

Mandatory Registration (Licensing)

The Act can, however, be changed to a licensing model which would make registration mandatory for all practising social workers. When the Board reviewed the Act in 2007, the majority of submitters proposed that registration become mandatory.

Licensing the social work profession means that to practise as a social worker individuals will have to be registered. Under a licensing system, people will no longer be able to practise using the title of 'social worker' without being registered.

HOW TO HAVE YOUR SAY

You are invited to submit comments on whether or not social work registration should become mandatory.

The Board will report to the Minister for Social Development and Employment on the outcome of this discussion document. If the Government subsequently decides to make changes to the law, there will be opportunities to make submissions to a Parliamentary Select Committee, which considers any changes before legislation is passed.

Please note that all correspondence and submissions on this matter may be subject to a request under the Official Information Act 1982. If there is any part of your correspondence you think should be withheld under the Act, please include comment to that effect and give reasons why you want it to be withheld.

Please send feedback by Friday 1 July 2011 to:

Social Workers Registration Board
PO Box 10-150
Wellington 6143

Or email:

consultation@swrb.govt.nz

POINTS TO CONSIDER WHEN PROVIDING FEEDBACK

The Board invites your views on whether social worker registration should become mandatory.

In 1998 Cabinet agreed a policy framework for regulating occupations. The published *Policy Framework for Occupational Regulation* states that the aim of regulating occupations is to protect the public from the harm that could be caused by incompetent, reckless or dishonest practice of an occupation. It notes that intervention by Government in an occupation should:

- generally be used only when there is a problem or potential problem that is either unlikely to be solved in any other way or inefficient or ineffective to solve any other way
- be the minimum required to solve the problem
- not have costs that exceed the benefits of the intervention.

A key trigger for intervention being necessary is whether incompetent service by members of the occupational group could result in significant harm to the consumer or a third party.

Below are some points to consider in relation to moving towards mandatory social worker registration. These may help you in providing feedback.

Mandatory social worker registration could:

- minimise the risk of poor practice by ensuring only Registered Social Workers who have successfully completed a competency assessment are able to practise social work
- prevent unregistered persons from practising social work
- provide better protection for vulnerable people through maintaining appropriate educational, practice and competence standards across the profession
- remove from practice those who fall significantly short of these standards
- enhance public trust and confidence in this profession by having consistent standards
- provide a consistent way for the public to redress any practice concerns they have through an independent body (the Social Workers Complaints and Disciplinary Tribunal established under the Act). Currently, social workers who are not registered are not accountable to the tribunal
- provide a way for ensuring practitioners' knowledge and skills remain up-to-date
- establish a uniform code of conduct
- reduce the cost of registration fees for currently Registered Social Workers and/or their employers.

You could consider the following questions when providing feedback:

- In the social work profession are there any problems, or potential problems, with protecting the public against poor social work practice? If yes, what are they?
- Are there any risks to public safety by maintaining the status quo? If yes, what are they?
- Is mandatory registration the best solution for providing the public with protection against poor social work practice?
- Are there other ways to work within the current voluntary registration system to better provide for public safety and ensure that social workers are competent to practise, maintain that competence through continuing professional development and are accountable for their practice? If yes, what are they?

- Do you consider there will be improvements in moving to mandatory registration? If so, what will they be?
- Do you consider there will be any negative effects in moving to mandatory registration? If so, what will they be? How can these negative effects be addressed?
- Do you think that the costs of moving to mandatory registration will outweigh the benefits, or will the benefits outweigh the costs? How?
- If mandatory registration were introduced, what transitional measure(s) would be needed to ensure that any risks to social work services were managed?

Please provide any other comments you wish to make regarding whether mandatory registration of social workers should be introduced.

MANDATORY SOCIAL WORKER REGISTRATION

Over time, many countries have introduced mandatory social worker registration, for example: Brazil, Canada, England, Finland, France, Hong Kong, Iceland, Israel, Japan, Lithuania, Northern Ireland, Russia, Romania, Scotland, Slovakia, South Africa, the United States of America¹ and Wales.

A review of the literature on mandatory social worker registration shows that countries generally choose this route as a way to improve social work practice and, in so doing, improve the safety of the people who use social work services. Other purposes cited in the literature for why countries seek social worker registration include:

- increasing public confidence in social work services
- improving the professional identity and status of social work
- improving the quality of social work practice through agreed educational qualifications
- supporting continuous professional development
- providing a means to remove social workers who are found to be unsuitable.

Although there appears to be a move to mandatory social worker registration internationally, there has been little evaluation on how well mandatory registration in social work is working, or its effects on this profession. Articles on general occupational regulation, however, tend to see registration as improving professionalism and standards, but only if the application of the registration system is consistent and enforced.

Occupations within New Zealand that have mandatory registration include midwives, physiotherapists, psychologists, nurses, teachers, dieticians, medical practitioners, occupational therapists and barristers/solicitors. Many of these professions often work alongside social workers.

1 All but seven states of the USA have mandatory registration.

BACKGROUND INFORMATION

SOCIAL WORKERS REGISTRATION ACT 2003

In 2000, the then Ministry of Social Policy consulted with the social work sector on whether to introduce social worker registration. Feedback from the social work sector showed a high level of support for registration. The Act was introduced in 2003, and provided for the voluntary registration of social workers. One of the reasons registration was made voluntary was that many social workers did not have the required educational qualifications to become registered. A mandatory approach at that time would, therefore, have meant that many social workers would not have been able to gain registration or continue to practise.

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

To achieve this, the Act creates a framework for the registration of social workers in New Zealand and provides for the Board to promote the benefits of social worker registration and enhance the professionalism of social workers. Social workers need to be registered to be covered by the Act, and are then accountable for their practice through the complaints and disciplinary processes the Act establishes. The Board decides the parameters of the criteria for registration, and must ensure that the aims and aspirations of Māori are integral and ongoing priorities. The Act also states that the Board must have access to the views of ethnic and cultural groups within Aotearoa New Zealand.

The 2006 census shows that over 13,000 people self-identified as being social workers. Of this number approximately:

- 2,000 identified as Māori
- 900 identified as Pacific
- 7,000 identified as European.²

The Board estimates that there are likely to be around 6,000 social workers in practice who could meet the registration criteria. By 17 February 2011, a total of 2,842 social workers were registered.

Registration Categories

The Act allows for three different categories of registration: full, provisional and temporary:

- Full registration is granted only when all of the eligibility criteria for registration (set out below) are met.
- Provisional registration is available to social workers who are:
 - o in the process of completing their practical experience, and/or
 - o gaining a recognised social work qualification, or
 - o applying with Graduate Competence.
- Temporary registration is available to overseas social workers who have come to practise social work in New Zealand at a particular place or institution for a limited period of time.

² Figures are where the person self-identified one ethnicity only.

Registration Criteria

The Board's criteria for registration are:

- having commenced or completed a recognised social work qualification
- having attained or working towards enough practical experience
- being a fit and proper person to undertake social work
- being assessed as competent to practice social work in Aotearoa New Zealand
- being assessed as competent to practice social work with Māori and with different ethnic and cultural groups in Aotearoa New Zealand.

Section 42 (1)(a) and (b) of the Act provides for competency assessments. This section enables the Board to set programmes to help it to decide if people have the skills and knowledge required to practise social work and meet the professional standards expected of a social worker.

The Act provides a framework within which the Board can set the criteria for registration. The Board has set the minimum New Zealand qualification requirement for registration at level 7, which is a Board-recognised degree in social work. The Board will, however, recognise a diploma-level social work qualification for those who commenced or completed this prior to 1 January 2006.

Section 13 – Board May Recognise Practical Experience in Certain Cases

Section 13 empowers the Board to decide if a person's social work experience in New Zealand is enough to compensate for the lack of a Board-recognised qualification. Section 13 provides for the registration of a more diverse social work workforce by placing emphasis on the social workers' levels of experience instead of focusing only on their qualification. By 17 February 2011, 117 of the 2,842 Registered Social Workers had gained full registration using section 13.

The Board has reviewed its section 13 process and found that many social workers were unable to articulate how their practical experience in New Zealand compensated for the lack of a qualification. The Board now provides a template, which outlines the framework of a qualification, to help applicants with this process.

Graduate Competence and Registration

In 2008 the Board introduced Graduate Competence. Students who graduated after 1 August 2008, from Board-recognised social work programmes, are deemed to have Graduate Competence and, therefore, are eligible for registration. This competence is valid for two years from the date of completing the qualification, with the requirement that graduates will complete Board-approved competency assessments in that time.

Maintaining Registration – Annual Practising Certificates (APCs)

Under the Act, no Registered Social Worker may be employed or engaged as a social worker unless she or he holds a current practising certificate (section 25 of the Act). Doing so could result in a conviction leading to imprisonment for a term not exceeding 3 months or a fine not exceeding \$10,000 or both (section 148).

Maintaining an APC is an important part of registration because it helps to protect public safety by ensuring that the social worker is:

- in continuing employment and undertaking satisfactory practice
- participating in regular supervision that is commensurate with level and focus of practice and years of experience
- undertaking a range of continuing professional development activities. Registered Social Workers are expected to participate in a minimum of 20 hours of professional development per year.

SOCIAL WORKER REGISTRATION IN NEW ZEALAND

The Social Work Workforce

The 2006 census shows that over 13,000 people self-identified as being social workers. However, the Board estimates that there are approximately 6,000 people employed in the social work profession who may meet the registration criteria.

Figure 1 (below) shows the number of social work registrations and APCs issued. The total number of Registered Social Workers has increased each year since registration became available in October 2004. The number of new registrations, however, has decreased. By February 2011, there were 2,842 Registered Social Workers.

Figure 1: Registration Trends from October 2004 to 17 February 2011

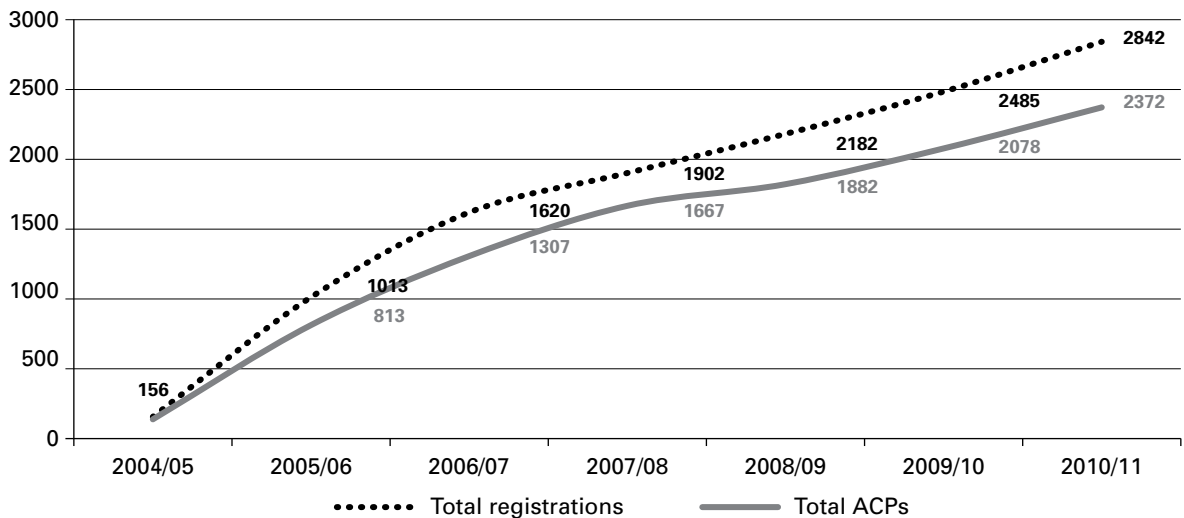


Figure 2 (below) shows the number of newly Registered Social Workers per year. While there was a decrease in registrations from 2006 to 2009, the move by the Board to lower the cost and complexity of registration has seen a steady increase in registrations. This trend appears to be continuing this year as a result of many employers now requiring registration for social work roles.

Figure 2: Registration Trends from October 2004 to 17 February 2011

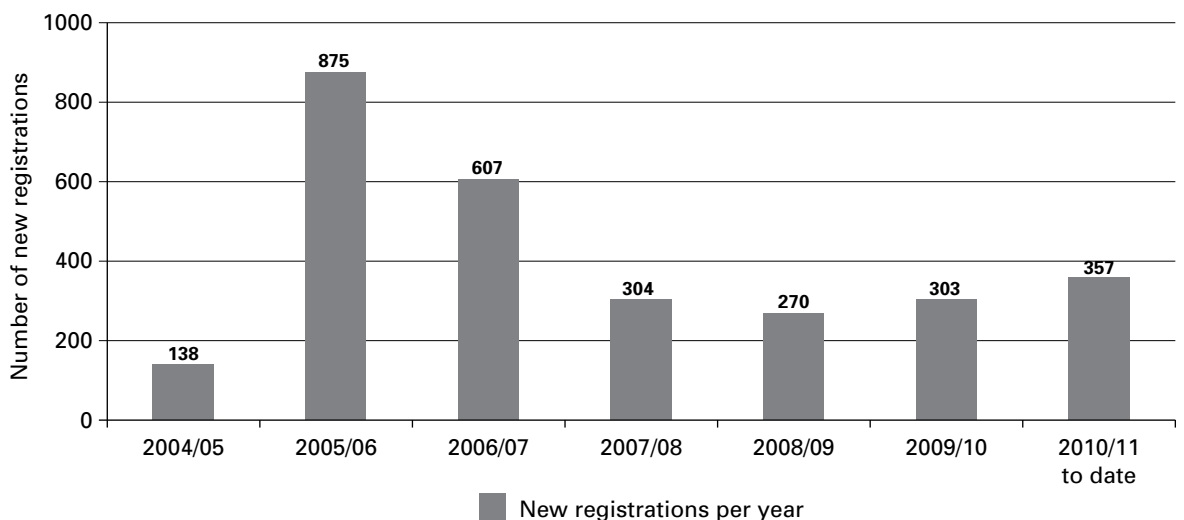


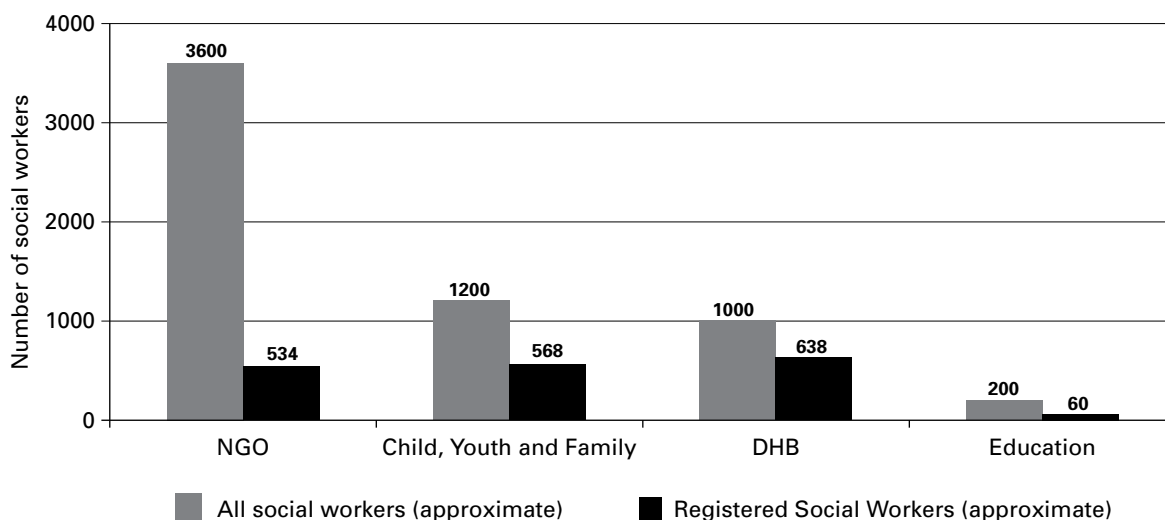
Figure 3 (below) gives an indication of where social workers are employed and the number of Registered Social Workers in these sectors. The main employers of social workers in New Zealand are non-government organisations (NGOs), Child, Youth and Family, District Health Boards (DHBs) and the education sector.

Based on the Board's estimate of 6,000 social workers who would meet the current criteria for registration, the Board approximate that 3,600 social workers (60%) work in NGOs, 1,200 social workers (21%) work in Child, Youth and Family, 1,000 social workers (16%) work in DHBs and 200 social workers (3%) work in education.

The Board's registration figures show that of the estimated 6,000 social workers, approximately:

- 14% of social workers working in the NGO sector are registered
- 47% of front-line social workers in Child, Youth and Family are registered³
- 64% of social workers in DHBs are registered
- 30% of social workers in the education sector are registered.

Figure 3: Approximate Numbers of Social Workers, and Registered Social Workers, by Employer/Sector



Financial Costs to Becoming a Registered Social Worker

The Board is a self-funding Crown Entity with a small staff based in Wellington. All costs associated with registration and complaints and discipline are funded through fees and levies imposed by the Board. Registration comprises an initial application fee (\$368) and competence assessment fee (\$225 – \$255).

To maintain registration, a Registered Social Worker must obtain an APC (\$368) each year, and complete a five-yearly competence recertification.

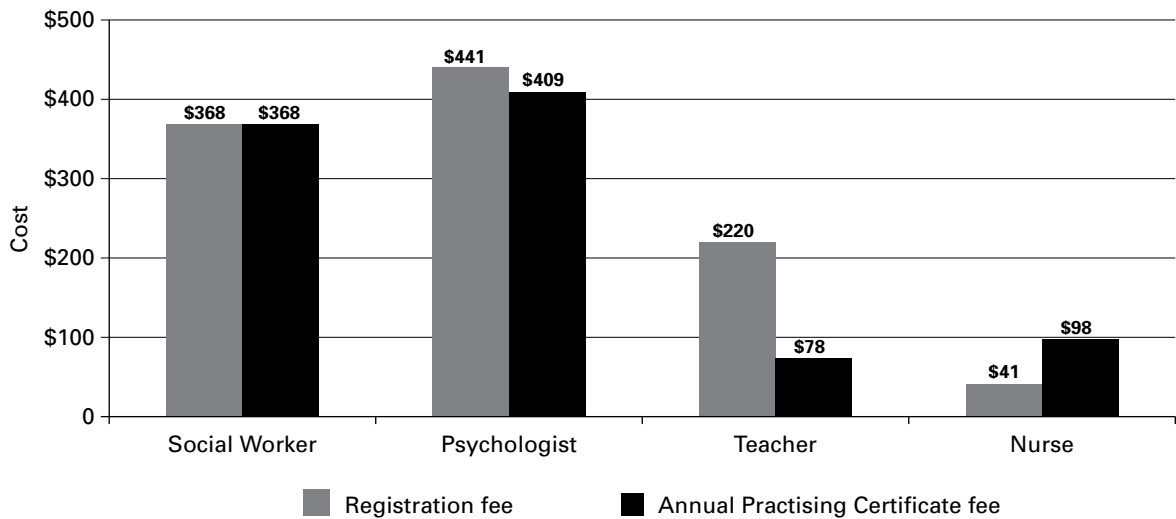
The original cost of registration has decreased over the years as the number of Registered Social Workers has increased (see Appendix A).

The Board expects that if all 6,000 social workers who are able to meet the current criteria were to register, costs would decrease to approximately one-half to one-third of the current costs.

³ Although approximately 960 employees of Child, Youth and Family are Registered Social Workers, a proportion are in leadership or senior advisory roles and do not interact personally with social work clients. Of the approximate 1,200 front-line social workers, 568 are Registered Social Workers.

Registration fee levels can reflect the number of individuals employed in the profession. Figure 4 provides a comparison of current fees in professions with similar numbers to social workers (psychologists) and professions with much larger numbers (teachers and nurses).

Figure 4: Current Cost of Registration and Annual Practising Fees across Comparable Occupations



Support for NGO Social Workers to Gain a Board-recognised Qualification

To support social workers in non-government social services, the Ministry of Social Development offers the NGO Social Work Study Awards. Up to 85 awards are offered each year to support NGO employees who have previously studied, or who are already studying, to complete a social work qualification that meets the educational requirements for social worker registration.

NEXT STEPS

This discussion document is part of the Social Workers Registration Board's review process required under section 104 of the Social Workers Registration Act 2003. Section 104 of the Act requires the Board to:

1. review the operation of the SWR Act, and its own operations and
2. consider the extent to which the Act, and the system of voluntary registration it provides for –
 - a. protects the safety of members of the public by ensuring that social workers are competent to practise;
 - b. holds social workers accountable for the way in which they practise; and
 - c. enhances the professionalism of social workers.

The Board will continue to take feedback on this discussion document until Friday 1 July 2011. Throughout the consultation period the Board will be available, where possible, to provide presentations on the discussion document for those seeking more information.

Feedback from this discussion document will be collated and developed into a report along with information gained as part of the wider review of the Social Workers Registration Act and the Board's own operations.

As part of the review of the Act the Board must consider whether any amendments to the Act are necessary or desirable and report its findings to the Minister.

As noted earlier, the Board will report to the Minister for Social Development and Employment on the outcome of this discussion document and whether any amendments to the Act are necessary or desirable. If the Government subsequently decides to make changes to the law, there will be opportunities to make submissions to a Parliamentary Select Committee, which considers any changes before legislation is passed.

The Board website www.swrb.govt.nz will be regularly updated with information on how the review is progressing and the final review document will be published once it is presented to the Minister.

APPENDIX A – COSTS OF REGISTRATION

SOCIAL WORK REGISTRATION FEES AND LEVIES

The following table shows that registration fees have reduced as the number of Registered Social Workers has increased.

Number of Registered Social Workers	Year	Initial application registration fee (includes APC fee for first year)	APC fee after first year of registration
0	2005	\$450	\$360 + \$90 Levy
1,013	2006	\$450	\$360 + \$90 Levy
1,620	2007	\$450	\$360 + \$90 Levy
1,902	2008	\$450	\$360 + \$90 Levy
2,182	2009	\$360	\$360 + \$90 Levy
2,586	2010	\$360	\$360
2,842	2011	\$368*	\$368*

* GST increase in October 2010

Currently, registration costs comprise an application fee and competence assessment fee. Initial fees for registration and a paper-based competence assessment currently total \$593 to \$610. This includes:⁴

- initial registration application fee (paid to the Board) \$368
- competence assessment fee, paper-based (paid to the assessment provider, currently ANZASW⁵ or the Board) \$225 to \$255

To maintain registration, a Registered Social Worker must obtain an APC, and complete a five-yearly competence recertification. At the current fee level, ongoing costs could total up to approximately \$390 per year.

However the Board expects that if all 6,000 social workers who are able to meet the current criteria were to register, current costs would decrease to approximately one-half to one-third of the current costs, which would range between \$130 and \$195 per year.

4 All costs are GST inclusive.

5 ANZASW – Aotearoa New Zealand Association of Social Workers is one of the professional associations for social workers in New Zealand.

Social Workers Registration Board (Fees and Disciplinary Levy) Notice 2010

Pursuant to sections 108 and 109 of the Social Workers Registration Act 2003, the following notice is given.

Notice

1. Title and commencement—(1) This notice may be cited as the Social Workers Registration Board (Fees and Disciplinary Levy) Notice 2010.

(2) This notice comes into force on 1 July 2010 and replaces the notice published in the New Zealand Gazette, 5 November 2009, No. 161, page 3904.

2. Fees—The Social Workers Registration Board sets the following fees and disciplinary levies payable to the board specified in the attached Schedules.

3. Tax—The fees are inclusive of goods and services tax.

Schedule One

	<i>From 1/7/2010 to 30/9/2010</i>	<i>From 1/10/2010</i>
	\$	\$
Application for registration with a New Zealand qualification	360.00	368.00
Application for registration with an overseas qualification and practising in New Zealand	360.00	368.00
Re-processing of applications to 30 June 2011	360.00	368.00
Issue of practising certificate to 30 June 2011	360.00	368.00
Competence Assessment (Full)	250.00	255.55
Competence Assessment (Recertification)	150.00	153.32
Disciplinary levy to 30 June 2011	00.00	00.00
Applications for copies of certificates or entries, or for supplying documents for overseas registration purposes	45.00	46.00
Non binding overseas application assessments	150.00	150.00
Replacement practising certificate identification cards	46.00	46.00

Schedule Two

The fees set for the Recognition of New Social Work Programmes in New Zealand Universities in the 2010/2011 financial year are as follows:

Fees Payable *\$ up to 15,000.00*

Fee for the desk audit and a single site visit in New Zealand.

A fee of up to \$15,000 (plus GST) based on full cost recovery will normally be charged for the programme recognition process at a single site in New Zealand.

Additional visits may be required if the programme is delivered at more than one site.

Actual and reasonable costs will be charged for any additional site visits or concurrent programme approvals.

Exemption

Applicants who apply for registration during the year to 30 June 2011 will be exempt in that year from fees for the issue of a practising certificate.

Further enquiries by post to Social Workers Registration Board, PO Box 10150, The Terrace, Wellington 6143.

Dated at Wellington this 1st day of June 2010.

SEAN McKINLEY, Chief Executive/Registrar, Social Workers Registration Board.



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