

Complaints received by SWRB – guidance for social workers

What are the different types of complaints?

What should I do if someone complains about me?

What guidance does the Code of Conduct provide to social workers responding to a complaint about their practice?

Introduction

This guidance helps social workers understand how to respond if the Social Workers Registration Board (SWRB) receives a complaint about their conduct, competence, health, or another issue. Complaints usually allege unprofessional, unsafe, or unethical practices.

Most complaints come from clients, whānau, or employers (mandatory reports).

Complaints can result in formal investigation and disciplinary steps, with the most serious being referred on to the Social Workers Disciplinary Tribunal following an investigation.

The SWRB recognises that complaints can be stressful and recommends seeking professional and personal support including independent legal advice.

Types of Complaints

Examples of the types of complaints include:

- co-workers reporting negative comments made by a social worker on social media
- students reporting inappropriate behaviour during placements
- a client reporting their social worker ignored a serious safety concern
- a client reporting unauthorised sharing of private information
- employers reporting misuse of the organisation's credit card.

Each complaint is assessed and considered to ensure if it falls within our jurisdiction before being referred to the Complaints and Notifications Committee, which considers matters under the relevant legislation following natural justice principles and due process. Serious concerns may be referred for formal Professional Conduct Committee (PCC) investigation.

If occurring in a health/disability context, complaints may be subject to dual jurisdiction with the Health and Disability Commissioner.

What to do if complained about

If someone complains about you to the SWRB, we will inform you.

1. You should inform your employer and supervisor as soon as possible. Transparency is critical to maintaining professional trust and accountability.
2. You may wish to seek legal advice. Contact professional bodies (ANZASW) or union representatives for support and process guidance.
3. You may need to access additional support from your Employer Assistance Programme (EAP), whānau, friends, or private counselling.
4. Cooperate fully with any investigation or review process. This may include written documentation or face-to-face discussions. SWRB will clarify when you can respond to the complaint.
5. Discuss the complaint with your supervisor. Reflect on any underlying personal/ professional issues and consider how these may be addressed e.g., cultural guidance or professional development.

SWRB Contact details:

- Call: 0508 797 269
- Email: professionalstandards@swrb.govt.nz

The SWRB Code of Conduct

The Code of Conduct (the Code) sets out the minimum professional standards of integrity and conduct that apply to registered social workers.

The Code's standards and principles provide professional guidance on how a social worker might respond to a complaint.

Principle 6: Strive to establish and maintain the trust and confidence of clients

Standard 6.9 take complaints seriously and respond to them in an appropriate, professional, and constructive way.

Principle 9: Maintain public trust and confidence in the social work profession

Standard 9.6 work cooperatively with, and be honest, open, and constructive in your dealings with managers, employers, the SWRB, and other authorities.

Standard 9.7 cooperate fully with any formal inquiries or investigations of any kind.

SWRB provides templates for preliminary responses and reflections for the Complaints and Notifications Committee. The Committee values genuine and substantive reflections on what has occurred and connecting to the standards. It will be useful to have information about how you or your employer have already addressed any matters raised.

Reflections

Below are some questions you could reflect on in a supervision session.

- What factors may have contributed to the complaint?
- Has harm occurred, and how can it be remedied?
- How can I use this experience for personal and professional growth? What personal and professional development can I put in place which will allow my employer, the SWRB and the public to maintain confidence in my practice?
- What professional and personal support could help me address the context of the complaint e.g. Employee Assistance Programme (EAP) counselling, supervision or whānau support?

Formal investigations

The Complaints and Notifications Committee may refer complaints to a Professional Conduct Committee (PCC) for formal investigation. A PCC has the power to investigate complaints and require people to provide documents/information and recommend or determine disciplinary actions.

The most serious option is referral to the Social Workers Disciplinary Tribunal, which may cancel or suspend the social worker’s registration or impose fines. Less serious options include competence reviews and recommending specific training (Section 71, Social Workers Registration Act 2003).

Seeking independent advice

This guidance note is not legal advice. SWRB cannot provide legal advice to anyone in respect of their individual circumstances. You are encouraged to seek independent legal advice to ensure you understand your rights and obligations in the complaints process.

Summary

Engaging openly with the SWRB ensures your voice is heard and your professional perspective and circumstances are considered. The SWRB responds to complaints with fairness, accessibility, responsiveness, and efficiency, following legislative process requirements and natural justice. The SWRB recognises that receiving a complaint can be stressful and recommends that you seek professional and personal support during the complaints process.

A fair and balanced regulatory process is designed not only to support your professional practice and protect the public but also to uphold and support the integrity of the social work profession. Ultimately, a robust and transparent system benefits everyone by maintaining trust in the profession while also safeguarding your rights and well-being.

Related advice

- SWRB Code of Conduct
swrb.govt.nz/practice/code-of-conduct
- Concerns and complaints
swrb.govt.nz/concerns-and-complaints
- Health social workers
hdc.org.nz/for-providers/what-if-a-complaint-is-made-about-me
- ANZASW Ngā Tikanga Matatika: Code of Ethics
anzasw.nz/code-of-ethics

