



**Social Workers
Registration Board**
Kāhui Whakamana Tauwhiro

Briefing to the Incoming Minister of
Social Development and Employment
2023

Contents

Congratulations 3

Strategic information to highlight 6

SWRB at a glance 12

Appendix one: Explanations of our regulatory mechanisms..... 21

Appendix two: Board members and Chief Executive Biographies 22

Appendix three: Social Workers in New Zealand 25

Congratulations

Congratulations on your appointment as Minister of Social Development. The Social Workers Registration Board (SWRB), as the regulator of social workers and your lead agency for social worker workforce planning, looks forward to working with you.

As an occupational regulator, the SWRB's purpose is to protect the safety of members of the public by ensuring social workers are competent and safe to practise and are accountable for the way in which they practise. We acknowledge the interest in assessment on quality of new and existing regulations and welcome the opportunity to contribute to the lifting of regulatory performance and stewardship.

Alongside our regulatory role SWRB also enhances social workers' professional practice and provides insight into the opportunities and challenges facing the social worker workforce.



WHO WE ARE



Established

The SWRB is a Crown Entity **established** under the Social Workers Registration Act 2003 (SWRA 2003).



Responsible

We are monitored by the Ministry of Social Development and **responsible** to the Minister for Social Development and Employment.



Governed

As a Crown Agent under the Crown Entities Act 2004, we are **governed** by a seven-member Board appointed by the Minister for Social Development and Employment.



Purpose (SWRA 2003, Section 3)

Our **purpose** is to protect the safety of members of the public and enhance the professionalism of social workers.

Through our regulatory role we promote and encourage high standards of practice and professional conduct among social workers and employers of social workers. Responding to concerns and complaints through our disciplinary procedures is essential to our public safety role. By holding social workers accountable for their practice, we maintain standards, which in turn will help to improve public trust and confidence in the profession.

WHAT WE DO



Regulatory Functions (SWRA 2003, Section 99)

To exercise the right regulatory response, at the right time and use our enforcement function for the right impact as a modern regulator and support social workers to understand what they need to do to practise safely, and competently within a regulated profession.



**Registration
Framework**



**Complaints &
Disciplinary
Framework**



**Competence &
Accountability
Framework**



**Education
& Training
Framework**



Workforce Function (Cabinet Minute SWC-20- MIN-0111)

To support the system to have the right social workers, with the right skills, knowledge, and competencies in the right place at the right time to support and enhance the wellbeing of New Zealanders.



**Lead Agency for Social Worker
Workforce Planning**

Collecting and analysing workforce data and information, and developing insights, to support system wide social worker workforce planning.

Our work as a regulator has provided the platform for other key activity that connects with the wider social sector. Having been assigned the role of lead agency for workforce planning for all social workers (announced in 2021), we have built on our initial work in this area which focused on gathering evidence and sharing insights. Although developing this knowledge base remains key to understanding the pressures facing the workforce, this year we have made substantial progress in strengthening linkages between key agencies and employers to share their priorities for tackling workforce issues.

With the new government's stated direction to improve the quality of regulation, including undertaking sector reviews, we note that healthcare occupational licensing is included. We would welcome the opportunity to discuss this with you. Social workers are the largest allied health workforce, but do not operate under the Health Practitioners Competence Assurance Act 2003, unlike other health professions. We operate at arm's length in terms of individual regulatory decisions. However, as a Crown agent SWRB models a different approach to delivering Crown objectives within in the health and social sector to health regulators (who are not agents of the Crown).

This briefing provides you with background information on:

- Strategic information and current projects:
 - Social work is in a unique position as a regulated profession within a largely unregulated social services sector
 - SWRB is the lead agency for social worker workforce planning and can help connect the system through our frontline experience
 - SWRB is providing advice on part of the 'Social work-like' workforce
 - The Building Social Worker Capability project will create resources and develop a professional development training framework
 - A review of the Social Workers Registration Act 2003 (the Act) must be undertaken by

- 2025 and progress on the 2020 review
 - SWRB is currently undertaking a fees and levy review
 - Section 13 Experience Pathway is due to be repealed in February 2024
 - There may be alternative options available for non-degree pathways
 - SWRB is well placed to provide advice on social work and social sector matters
 - Public trust in social workers is relatively low
- our role as the regulator of social workers in New Zealand, established as a Crown Agent under the Act
 - the history of the SWRB, its current structure, and its fit within the wider government and social sector

Through quarterly reporting, we will provide you regular updates on our progress as both regulator and lead agency for social worker workforce planning, along with our other strategic areas of focus.

Who are the social work workforce?

Managing the register of social workers is a statutory requirement. Information about registered social workers and their practising status is available on the public register which is online and searchable.

Total social workers on SWRB's register

2022/23: **11,850**

2021/22: **11,205**

2020/21: **10,523**

Practising social workers – the social worker workforce in 2022/23

Understanding our workforce is key to both regulation and workforce planning activities. The register captures data on the composition of the social worker workforce including key demographic and employment information.

Practising certificates held

2022/23: **8,707**

2021/22: **8,680**

2020/21: **7,453**

Note: More statistics on social workers can be found in Appendix 3

Strategic information to highlight

SWRB is the regulator for social workers, lead agency for social worker workforce planning, and a Crown Agent under the Crown Entities Act 2004. With these roles, SWRB holds a unique understanding of public safety in the social work and wider social sector. This includes being a connection point across agencies, both government and non-government, and increasingly being able to bring a consumer (public) voice into strategic and policy discussions.

With this perspective there are some critical areas we want to highlight with you as the incoming Minister for Social Development and Employment:

- Social work is in a unique position as a regulated profession within a largely unregulated social services sector
- SWRB is the lead agency for social worker workforce planning and can help connect the system through our frontline experience
- SWRB is providing advice on part of the 'social work-like' workforce
- The Building Social Worker Capability project will create resources and develop a professional development training framework
- A review of the Act must be undertaken by 2025
- SWRB is currently undertaking a fees and levy review
- Section 13 Experience Pathway is due to be repealed in February 2024
- There may be alternative options available for non-degree pathways
- SWRB is well placed to provide advice on social work and social sector matters
- Public trust in social workers is relatively low

Social work is in a unique position as a regulated profession within a largely unregulated social services sector

As a regulator, the SWRB has a focus on the management of risk and potential for harm, as per the purpose of our Act, to protect the safety of members of the public through a competent and accountable social work workforce. Combined with our insights through our workforce planning role we can combine evidence with frontline insights to deliver better outcomes.

At a system level, we see opportunities for further work to support a more cohesive and consistent approach. We recognise that while mandatory registration has strengthened the regulatory framework for social workers, there has been less focus on other parts of the system that have no professional regulation in place, which creates inconsistencies and risk for those using social services.¹

Many other roles also work closely with vulnerable children and communities, however social workers are currently the only regulated profession in the social sector. We are aware that MSD (as the responsible policy agency for the SWR Act) are currently leading some initial scoping work to consider the public safety implications of the wider social sector workforce. We will continue to work collectively to progress this work, according to your feedback.

¹ Noting there are other professions such as psychologists who work within social services, although they tend to be considered part of the health workforce.

The SWRB has authority to regulate social workers, however, we currently have no legislative authority over other social sector professions that work with the public. While these professions have active peak bodies and professional associations that provide support and guidelines for the professions, these are voluntary, and lack the same protections afforded to the public who interact with social workers. We see this as a gap in the system, which may be contributing to a lack of protections and adverse outcomes of the most vulnerable in society.

Another gap that we would like to highlight is the lack of an organisation that protects and promotes the rights of the consumers interacting with social services, in the manner of the role played by the Health and Disability Commission (HDC) within the health sector. While social workers in health settings are covered, social workers in other sectors falls outside the Health and Disability Commissioner Act 1994, meaning the HDC is unable to accept complaints relating to practitioners in the social services sector.

SWRB is the lead agency for social worker workforce planning and can help connect the system through our frontline experience

The SWRB has been designated as the lead agency to provide and support workforce planning for all social workers in New Zealand. In this role, we aim to provide strategic, cross-agency and cross-sectoral leadership in consultation with the sector, based on a robust evidence base, to guide the development of a strategy and action plan to support the sustainability of the social worker workforce.

Since 2018, the SWRB has conducted an annual survey of all social workers across the country. The results from the 2022 survey highlighted issues about the sustainability of the workforce, with 15% of social workers stating they were planning to leave the sector in the next five years.

We see an overall picture of significant social worker shortage, with a mismatch between the supply of social workers into the workforce and increased demand for social workers. At the current rate, by 2024 there will likely be more social workers leaving the profession than registering with the SWRB.

In our Workforce lead role, there is an opportunity to take a strategic approach that recognises the breadth of the interaction across the system. Increasingly SWRB is growing our contribution at a system level, and can contribute a unique view as a frontline regulator.

SWRB is providing advice on part of the 'Social work-like' workforce

In November 2022 the Government agreed to extend the pay equity benefits agreed to with Oranga Tamariki in 2018 to all social workers and other workers undertaking substantially similar work in community and iwi organisations. At the same time, the SWRB was funded to undertake work to better understand 'social work like' roles with a public safety lens.

We have been engaging with NGO sector leaders and experts, employers and workers to identify the workforces within category 3 and better understand their work including: what sort of work are they doing, who are the communities they are working with, and importantly how are public safety considerations being addressed?

Workers in social work-like roles are doing valuable work and engaging with the same communities as registered social workers. However, our work is highlighting that there is a large unregulated workforce carrying out social work, without the same checks and balances in place for registered

social workers.

The regulatory framework, including mandatory registration of social workers, was put in place as a direct response to the high risks associated with poor social work practice, and to strengthen public safety. We consider that there are opportunities to strengthen both public safety and the professionalism of the social work-like workforce and will be reporting our findings to Ministers at the end of March 2024.

The Building Social Worker Capability project will create resources and develop a professional development training framework

In Budget 2022, the SWRB was provided with funding for two years to build the capability of social workers through designing and developing resources, and establishing training standards, in collaboration with Oranga Tamariki. This initiative provides the SWRB with extra capability to support the quality and professionalism of social workers and helps SWRB develop a framework for assessing professional development training for registered social workers. Currently SWRB does this for Degree level courses, but not for post-degree training.

The training framework will ensure that SWRB raises educational standards nationally and improves the quality of both graduating social workers and practising social workers. Developing a training standards framework was something that SWRB had been unable to achieve due to demands of other regulatory priorities.

The development of a framework to assess education and training will enable SWRB to ensure that professional development of social workers is safer, more effective, better monitored. There is potential for these to be rolled out to the wider 'social work-like' workforce.

A review of the Act must be undertaken by 2025

The SWRB is operating successfully as a regulator under the parameters of the Social Workers Registration Act 2003 (SWR Act) as it currently stands. The most recent review of the Act was undertaken in 2020, with recommendations for a small number of technical changes. We would like to talk to you about progressing these.

Since the introduction of mandatory registration for social workers in February 2021, we have become increasingly aware of the limitations of the scope of our legislation to effectively undertake a public safety function.

Regular reviews of the SWRA must be undertaken every four years, with the next one due by 2025. This will provide an opportunity for SWRB to provide advice on where improvements could be made.

SWRB is currently undertaking a fees and levy review

The SWRB is funded predominantly by fees and a disciplinary levy (fees and the levy) charged for regulatory activities related to our legislation on a cost recovery basis. These include fees and disciplinary levy charged to all practising social workers. The SWRB Board is responsible for setting the fees and levy², based on Auditor General and Treasury guidance.

² In 2022 the Board agreed to an updated Financial Reserves Policy for SWRB which set sustainable levels of Reserves held by SWRB to

SWRB undertook its first comprehensive fees and levy review, with public consultation, in the 2021/22 year. Since that time SWRB has faced increasing costs attributed largely to the higher-than-usual increases in inflation.

This fee and levy review is likely to be much smaller in size and scope than the 2021 review. Most adjustments are likely to be CPI adjustments, with two likely exceptions:

- the disciplinary levy due to increasing numbers of disciplinary matters (see below) received by the SWRB
- the overseas registration fee due to the increasing numbers and complexity of overseas registrations.

In line with best practice the SWRB will be undertaking consultation on fees and levy changes with the public, the Board will be making a decision on the proposal for any fee changes in December, with consultation likely to occur in December and January 2024. The Board will then make a decision in February to come into place on 1 July 2024. We will keep you and your office advised on Board decisions in this area.

Section 13 Experience Pathway is due to be repealed in February 2024

Section 13 (S13) of the SWR Act provides an alternative pathway for people without an approved social work qualification to apply for social worker registration (the experience pathway). Instead of demonstrating their competence by having a prescribed qualification, these applicants must satisfy SWRB of their competence based on their substantial vocational experience. S13 is due to be repealed in February 2024.

In the 2019 changes to the SWR Act, S13 was retained to support the social work sector to transition from voluntary to mandatory registration by allowing unregistered social workers more time to either complete a prescribed qualification or apply to register under S13. This decision assumed at the time that the supply of social workers would meet future demand and that five years would be sufficient time for people undertake the steps required to meet registration requirements. However, for a number of reasons (see Workforce section above), there is now an increasing shortage of social workers to meet demand. Repealing S13 in February 2024 will likely limit the pipeline of social workers into the workforce and could exacerbate workforce shortages in coming years, impacting on the public's access to professional social work services.

In May 2023 a Bill to amend the SWR Act was introduced to parliament and subsequently went through the Select Committee. This would delay the repeal of S13 by four years to February 2028. SWRB provided information to the Social Services Select Committee at the time and acted as a secretary to the Committee.

SWRB believes that extending the experience pathway (either by two or four years) will help:

- Provide safety and assurance for the public who are receiving services from people in these roles
- leverage benefits of the pay equity settlement

protect from any unforeseen events or significant and sudden drops in revenue streams for the Board. This must be taken into account when setting SWRB fees and levies.

- to explore other entry pathways into the social work sector over the longer term, including for Māori and Pasifika and for those from other cultures at a time when government strategy and government employers are promoting significant shifts towards community service delivery and;
- will provide continuing support for a sector experiencing significant workforce shortages and increased service demand.

While a repeal of S13 will stop the experience pathway for new applicants, people who are currently being assessed will still have the opportunity to be registered (if they are assessed by SWRB to fully meet the criteria).

There may be alternative options available for non-degree pathways

If S13 is repealed in February 2024 there may be other potential options for non-degree pathways and areas for further investigation:

Regulation of social work-like (support) roles

The work to better understand the social work-like workforce (see section above), could potentially identify an opportunity to regulate social work support roles through the SWR Act. A report will be provided to your office, with further advice from MSD to Cabinet, in March 2024. This will provide information and advice on how the SWR Act, as it stands, could regulate such roles.

Recognition of prior learning

As part of a review of education standards, SWRB are looking at reviewing Recognition of Prior Learning (RPL) requirements. SWRB will be considering whether the current RPL requirements are fit for purpose. This could be an opportunity to widen the currently narrow scope of the RPL standards to consider whether experience could be credited towards a social work qualification as a long-term alternative to the experience pathway.

Building a training framework

Staircasing education pathways and training are also being considered by SWRB through the Social Work Capability building initiative (see above) to establish an Education and Training Standards Framework. Such options are likely to be more accessible to people who face barriers to traditional qualifications and education. SWRB have begun initial exploratory work on alternative entry pathways to social work but would need to identify funding options to progress this work further.

SWRB is well placed to provide advice on social work and social sector matters

SWRB has a very constructive relationship with multiple parts of MSD as our Crown Monitor and Policy Agency. Regular meetings are held, and MSD is kept in close contact around the operating and policy related areas of our work.

Increasingly SWRB has been providing advice on matters relating to social workers and the wider social sector on regulatory and workforce matters. An example of this is the social work like advice mentioned previously, but also into other areas such as the wider pay equity negotiations, legislative changes, the Royal Commission of Inquiry into Abuse in State Care, as well as specialist technical expertise.

SWRB is well placed to increase visibility of the consumer (public) voice, particularly in respect to public safety (our core regulatory role) which is, we believe, not currently well canvassed currently across the wider social sector. We believe that SWRB can provide an increasing public safety lens and consumer voice to areas of policy being developed, where appropriate, and would welcome the opportunity to do this in future.

More information is available about our strategic direction, context, financial position, and wider Government priorities in our 2022/23 annual report.

Public trust in social workers is relatively low

In early 2023, SWRB commissioned research into public trust in the social work profession which included an online survey of 1,060 New Zealanders. The findings highlighted that in relation to health professions, social work is not held in such high regard and that there is lower public confidence in social workers. However, the research also highlighted that there is a lack of clarity about what social workers do and the differences between social workers and other professionals in the wider social sector. Raising public awareness about the strengths of the profession and building understanding of what social workers do and their professional obligations will be a focus of future activity.

Our survey showed 44% of respondents have 'full' or 'some' trust in social workers. The level of full trust in social workers (13%) is similar to how survey respondents feel about other professions such as psychologists, counsellors, therapists and youth workers (17-11% full trust) but much lower than those who say they have full trust in teachers (23%) or health workers such as doctors and nurses (41%)

One of our high-level outcomes is to promote public trust and confidence in the social work profession. Our focus on supporting strong professional practise and accountability among social workers will be key to building that trust and confidence. However, to measure our progress, it is important for us establish a 'baseline' understanding. The SWRB is using these baseline findings about public trust to inform our work in the regulation and workforce planning functions, and to add to our evidence base for the social work workforce in New Zealand, with a particular focus on strong professional practice and accountability.

SWRB at a glance

The Board

The SWRB is governed by a seven-member Board established under the Social Workers Registration Act 2003 (the Act). The Act requires that four out of the seven members be registered social workers, ensuring that there is social work professional representation alongside the considerable breadth of skills and experience brought by the lay members. Board members are appointed by the Minister for Social Development and Employment. Our current Board members are:

- Shannon Pakura MNZM (Chair) RSW
- Adam Davy
- Gisa Dr Moses Ma'alo Faleolo RSW
- Rose Henderson RSW
- Lois Hutchinson
- Andrea Nichols RSW
- Jeff Sanders QSO

We would like to discuss upcoming appointments with you noting that MSD supports you in undertaking the appointment process.

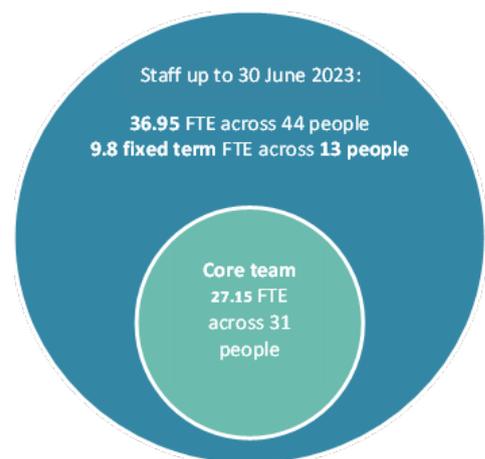
Biographies of the Board and Chief Executive Sarah Clark can be found in **Appendix two**.

The Secretariat

The secretariat provides operational support for the work of the Board. At the end of 2022/23, we had 36.95 full-time equivalent employees (FTEs) across 44 people. The Secretariat is led by Sarah Clark as Chief Executive.

Current staffing includes fixed-term roles of 9.8 FTE across 13 people, to assist the addition of two government funded projects, and to support the increasing numbers of regulatory activities that require professional advice (e.g. complaints).

With the introduction of mandatory registration and the workforce planning role, the SWRB has undertaken regular organisational reviews to ensure that the structure is fit for purpose.



Complaints and Disciplinary Tribunal

Appointed by the Minister, the Complaints and Disciplinary Tribunal is the disciplinary decision-making body. The Tribunal is quasi-judicial and its process is similar to that of a court. The Tribunal is drawn from a pool of people, with each hearing consisting of five, including three social workers, a layperson, and the chair or deputy chair (experienced barristers) who prepare, preside over the hearing, and finally issue a written decision. If found guilty, decisions can range from:

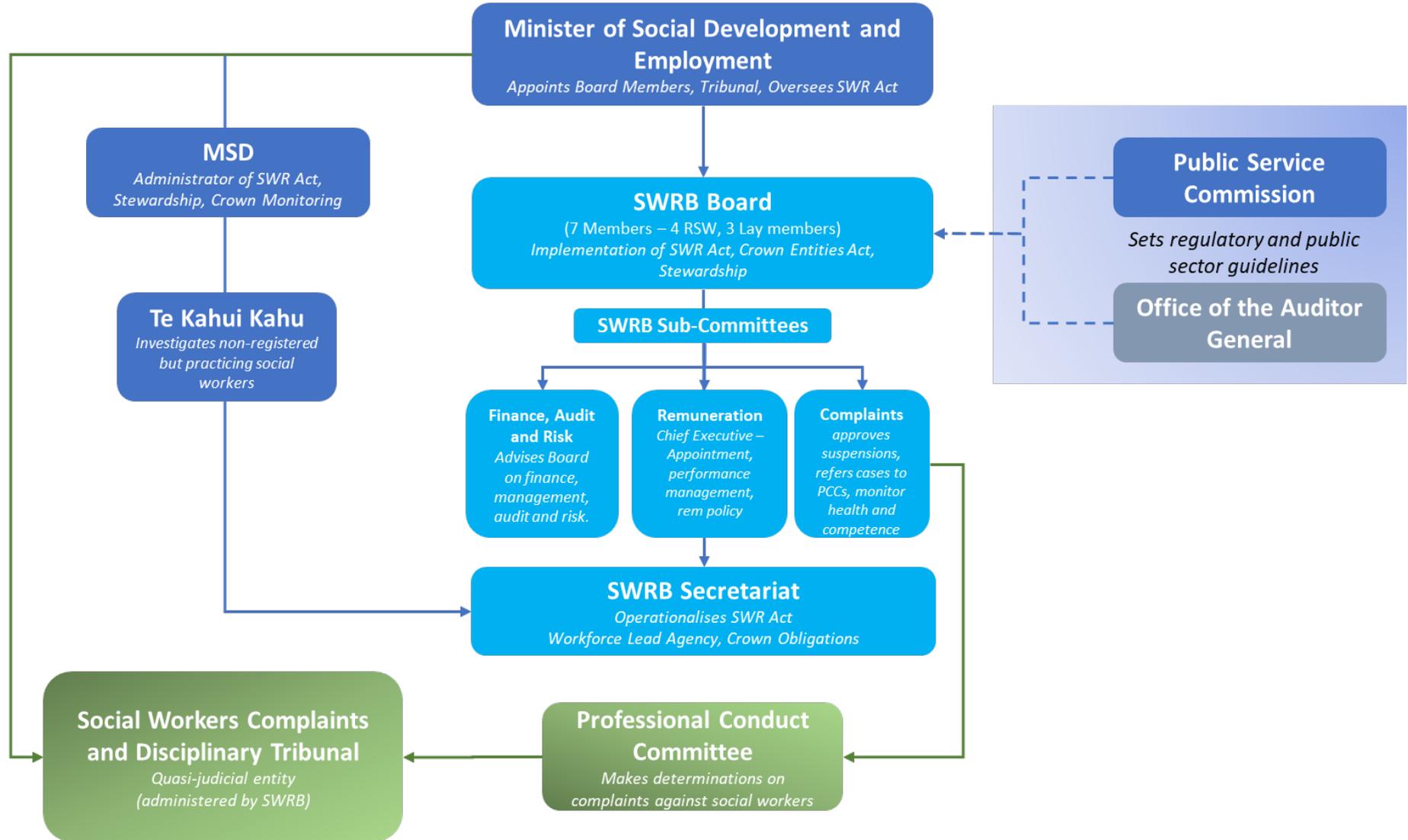
- censuring the social worker
- placing conditions on the social worker's practise
- suspending the social worker from practising
- cancellation of the social workers registration.

While the Tribunal is Independent in its decision making from the SWRB Board, it is administered by the SWRB Secretariat. The diagram over the page shows the relationships between the Minister,

SWRB Board (and sub committees), Tribunal and Secretariat, as well as other monitoring agencies.

Note: MSD has delegated to Te Kāhui Kāhu the function of responding to notifications of people practising as a social worker and/or holding themselves or others out as a social worker who are not registered (and who should be) by investigating and prosecuting alleged offenders.

SWRB and Tribunal lines of public accountability

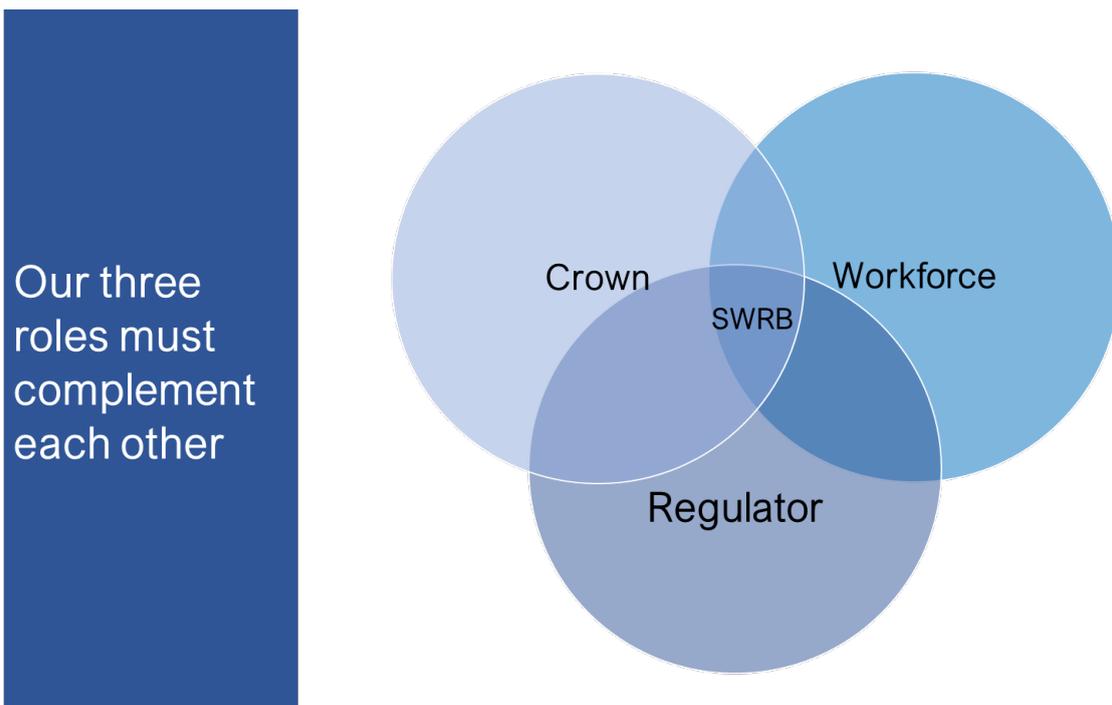


The SWRB operates in the wider social sector

MSD is the monitoring agency for the SWRB and administrator of the Act, with the Minister of Social Development and Employment the responsible Minister. As a Crown Agent, the SWRB gives effect to government policy, although regulatory decisions are the responsibility of the Board. The Public Service Act 2020 also provides that Crown agents are part of the public service and must uphold the purpose, principles and values of public service when carrying out their functions.³ We also operate in the wider social sector and work to develop strong relationships with both government and non-government organisations in matters that relate to our roles as a regulator and workforce planning lead. As the only regulator in the social services sector we see that we can provide a unique perspective on the sector, and also observe where there may be opportunities for further work from a regulatory perspective.

Our legislation mandates our work

The Social Workers Registration Act 2003 (the Act), the Crown Entities Act 2004, and the Public Service Act 2020 are our overarching legislation. These pieces of legislation govern how we operate as a regulatory organisation, and how we in turn regulate social workers. Section 99 of the Act sets out the functions of the Board, Section 100 outlines obligations of the Board to Māori and Section 101, obtaining views of Pacific people and other ethnic and cultural groups.



History of social work regulation - from unregulated to voluntary registration

Prior to 2003, social work was a mixture of self-regulation (through the profession's body the Aotearoa New Zealand Association of Social Workers) and non-regulated social work. With the

³ <https://www.publicservice.govt.nz/assets/SSC-Site-Assets/System-and-Agency-Performance/Statutory-Crown-entities-Your-role-as-responsible-minister.pdf>

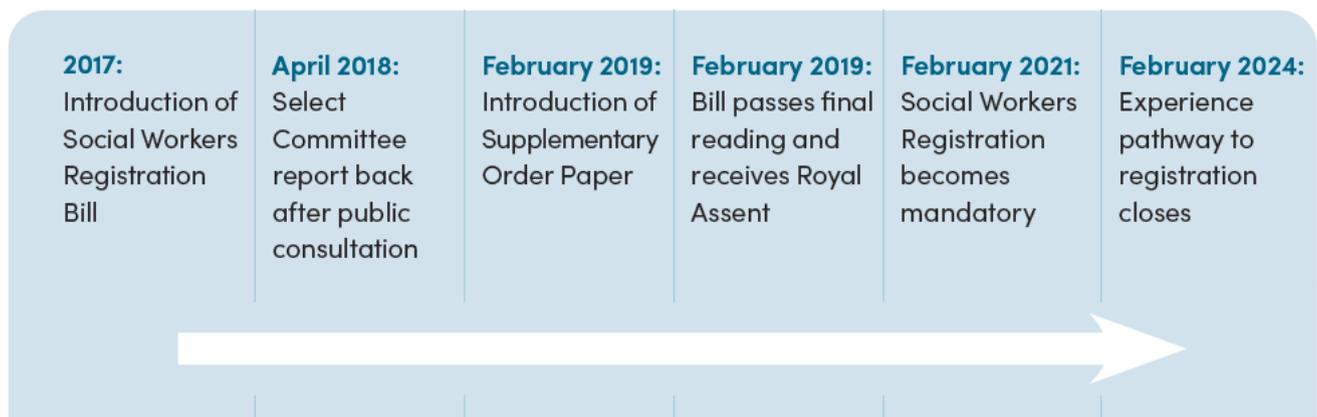
passing of the Social Workers Registration Act 2003, the SWRB was established to make voluntary registration available to social workers. Subsequently, there were ongoing reviews and calls from Government and the sector to make registration mandatory. This culminated in 2015 with a further Review of the Act, which recommended a mandatory regime.

Registration is mandatory for all social workers

Since 2021 SWRB has been operating in a mandatory registration environment. Mandatory registration means all people practising as a social worker must be registered with the SWRB and hold a Practising Certificate. This helps to better protect the safety of members of the public by:

- Ensuring social workers are appropriately qualified to carry out their work
- Requiring continuing professional development and specific competencies
- Addressing concerns about a social worker’s practice with complaints and disciplinary processes
- Ensuring social workers who have had their registration cancelled are not able to practise social work again

As mandatory registration beds in, there is a sense of our growing maturity as a government entity and the national regulator of the social work profession. We have moved on from a significant period of change and growth into a steadier state of consolidation and quality improvement.



Value of social work and the need for regulation

The existence of the SWRB recognises the value of social work and its ability to create long lasting change for children, whānau and communities in need. At the same time, it also inherently recognises the potential for social work to cause harm given elements of the way it is performed; the need it responds to, and the vulnerability of people with whom it works. Social work is diverse and complex, it:

- often takes place in private settings,
- confronts and impacts workers with trauma, distress, complexity, and ambiguity,
- can require the assessment of risk,
- necessitates the exercise of judgement,
- uses evidence-based practice, practice-based experience and intuition,
- exposes staff to the very personal information of others, and
- provides easy access to vulnerable people.

These elements present differing levels of risk, particularly when combined, making social work’s potential to cause harm to the public as significant and makes the case for regulation.

Mandatory registration provides stronger checks and balances to ensure public safety

The move to mandatory registration in 2021, strengthened the regulatory authority to protect members of the public who receive services from social workers, whether that is in statutory care or other situations. The changes since the new legislation was introduced will help better protect those in care, by providing stronger checks and balances, a complaints system that encompasses all social workers, and overall a higher level of professionalism for social work.

However, we recognise that the sector is still adapting to regulation through the mandatory system. We also recognise that the traditional model of regulation is largely an individualistic model that doesn't necessarily align to wider local communities recognising the collective model of care.

Our progression as a modern regulator

The introduction of mandatory registration was a significant step forward in the professionalisation of social work in New Zealand, where we support and encourage high standards of practice and professional conduct among social workers and the employers of social workers. This aligns with our progression to being a modern regulator. This progression means moving towards supporting and encouraging compliance, opening, and increasing our communication channels and proactively engaging with social workers, employers, and the public.

Our regulatory work

As mandatory registration beds in, there is a sense of our growing maturity as a government entity and the national regulator of the social work profession. We have moved on from a significant period of change and growth into a steadier state of consolidation and quality improvement. We acknowledge that for many in the sector there remain significant challenges, including further impacts of the post-Covid environment and severe weather events in parts of the country that have caused damage and devastation.

Through our regulatory role we continue to support and encourage social workers in their professional practice. We are starting to reap the benefits of system improvements and investment in infrastructure, enabling us to streamline some of our processes, including the renewal of practising certificates.

Responding to concerns and complaints through our disciplinary procedures is essential to our public safety role. By holding social workers accountable for their practice we maintain standards, which in turn will build public trust and confidence in the profession.

2021/22 total concerns:	159	2022/23 total concerns:	196
Notifications and Complaints:	136	Notifications and Complaints:	155
Mandatory Reports:	19	Mandatory Reports:	28
Self-declarations:	4	Self-declarations:	13

Further information on our regulatory mechanisms can be found in **appendix one**.

How we are funded

The SWRB, similar to other national regulators, runs a cost recovery model for our regulatory practices, in line with Auditor General⁴ and Treasury guidelines for setting fees⁵. The fees and disciplinary levy are set by the Board and imposed by a Gazette Notice under sections 108 and 109 of the Social Workers Registration Act 2003. Here is a summary of what charges can be set for and who pays:

- **Fees:** Recover the cost of an activity the SWRB provides directly to an individual registered social worker, an individual applying for registration (whether successful or not), or an education provider. Paid by the individual registered social worker/applicant (or their employer on their behalf) or an education provider, as applicable.
- **Practising Certificate fee:** Is paid by a registered social worker (or their employer on their behalf) who wishes to practise. Practising certificates are renewed annually for those who continue to practise. Recovers the cost of processing the application, and the balance recovers the cost of SWRB's functions.
- **Disciplinary levy:** Paid annually by registered, practising social workers (or their employer on their behalf). Recovers the cost of complaints & notifications and disciplinary proceedings.
- **Education programme fee:** Paid by education providers annually to recover the cost of the SWRB's functions attributable to them.

To ensure appropriate funding for volume changes, priority areas of work, and cost pressures, in 2021 we reviewed the fees and disciplinary levy applying the Auditor General and Treasury guidelines on setting charges in the public sector. Following consultation with the sector, the fees and disciplinary levy were increased to reflect SWRB's increase costs. This was the first change to the Practising Certificate fee since the SWRB was established in 2003. We are currently conducting another fees review, with consultation due to take place over December and January with changes to be in place by July 2024.

The SWRB also receives some funding from the Crown, with ongoing funding for our Workforce Planning role, as well as Crown Accountability funding.

⁴ <https://oag.parliament.nz/2021/fees-and-levies/docs/fees-and-levies.pdf>

⁵ <https://www.treasury.govt.nz/publications/guide/guidelines-setting-charges-public-sector-2017-html>

SWRB Key Stakeholders

The SWRB has a wide range of stakeholders across the government and non-government sectors. These include:

Public Sector and Government

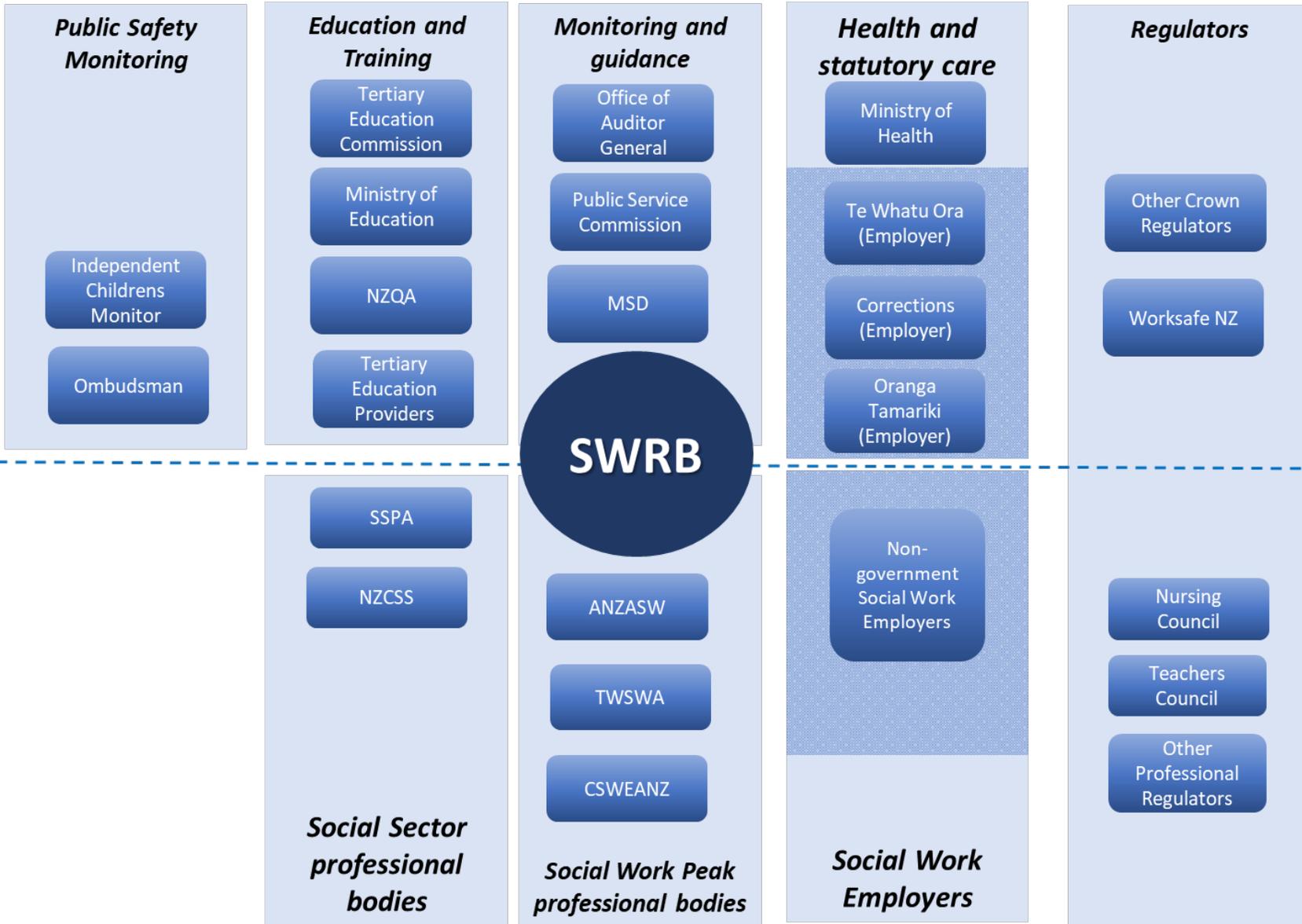
- MSD
- Oranga Tamariki
- Ministry of Education, New Zealand Qualifications Authority, Tertiary Education Commission
- Ministry of Health
- Public Service Commission,
- Other government regulators (WorkSafe)

Sector Stakeholders

The SWRB works with a number of social work and social service associations and peak bodies, including:

- Aotearoa New Zealand Association of Social Workers (ANZASW) – Social Workers peak body
- Tangata Whenua Social Workers Association (TWSWA) – Tangata Whenua Social Workers peak body
- Social Sector Providers Association – Social Sector peak body
- New Zealand Christian Social Services
- Council for Social Work Education in Aotearoa New Zealand (CSWEANZ) – Social Work education peak body

Government departments and agencies



Non-government organisations

Appendix one: Explanations of our regulatory mechanisms

The Register

The SWRB has monitoring and oversight of those who can legally hold themselves out as social workers. The SWRB must maintain a register of social workers under section 121 of the Act and hold information as set out in section 123. Under section 135, we publish a Register for public inspection on our website. Members of the public may search the register to check on registration and to hold social workers accountable.

Annual Practising Certificate

The SWRB monitors and has oversight of practising social workers. Under section 26 the Board issues practising certificates to registered social workers who apply to practise social work. The Board requires applicants to make declarations that they:

- will undertake CPD
- will undertake supervision
- have not been convicted or are under investigation for a criminal offence
- have not been dismissed or are under investigation in their workplace
- Social workers who declare issues are assessed as to whether they are fit to practise and be issued a practising certificate.

Code of Conduct

The Board monitors and has oversight of the conduct of social workers. Under section 105 of the Act the Board must issue and maintain a Code of Conduct. The Code covers minimum standards of integrity and conduct to protect the safety of the members of the public. A social worker is held accountable and against the Code of Conduct when considering complaints or concerns about conduct. The Disciplinary Tribunal may make orders that a social worker is guilty of professional misconduct if the Tribunal finds the social work has breached the Code of Conduct.

Competence standards

The Board monitors and has oversight of social worker competence. Under section 42 of the Act the Board may set programmes to help it decide whether people have the skill required to practise social work. Under section 39 the Board may review the competence of a social worker and assess the competence of a social worker and if they fail, place conditions or limit the scope of practice.

Complaints

The Board has the authority to receive complaints about social workers and their practice from any members of the public under section 65 of the Act. If a social worker is involved in, or undertakes in anyway, individual or systemic abuse and or neglect, the Board may under section 65 of the Act, establish a committee to investigate and refer breaches of the Code of Conduct to a Disciplinary Tribunal.

Mandatory reporting

The Board has broad oversight and monitors over reported instances of social worker serious misconduct, competence and health based on reporting from employers.

Under section 38B, an employer who believes on reasonable grounds that a social worker they employ is not competent to practise must report that belief to the Board.

Under section 47A, an employer who believes on reasonable grounds that a social worker they employ has undertaken serious misconduct must report that belief to the Board.

Under section 51, an employer who believes on reasonable grounds that a social worker they employ may be unable to satisfactorily perform the functions required to practise because of a mental or physical condition must report that belief to the Board.

Appendix two: Board members and Chief Executive Biographies

Shannon Pakura MNZM RSW (Chair)

Ko Aotea te waka
Ko Ruapehu te māunga
Ko Whanganui te awa
Ko Te Atihaunui-a-Paparangi te iwi
Ko Ngā Paerangi te hapu
Ko Shannon Pakura tōku ingoa



Shannon Pakura is passionate in her advocacy and support for the social work profession and has served as SWRB Chair since 2019.

She has worked extensively in both the Statutory Child Protection and the Youth Justice social work sector. She was the former Chief Social Worker for the Department of Child, Youth and Family, held Māori Service Development roles, and served as a member of the NZ Parole Board from 2008 to 2021. She is a life member of the Aotearoa New Zealand Association of Social Workers (ANZASW) having previously been their President.

Shannon holds a number of advisory and advocacy roles, including membership of the Oranga Tamariki Ministerial Advisory Board. In recognition of her services to social work, Shannon was awarded a Member of the New Zealand Order of Merit in 2022.

Adam Davy

Adam is experienced in the area of governance, both in the business and social space. A fellow of Chartered Accountants Australia and New Zealand and a Chartered Member of the Institute of Directors, Adam was previously accounting and advisory firm BDO's National Head of Advisory and Director of Innovation.



Adam is on the board and audit committee of Emerge Aotearoa Housing Trust. He is also Chair and Director of the health and safety consultancy HazardCo Ltd, and consults to various other commercial entities.

As well as governance, Adam's expertise includes strategic and business planning, business growth facilitation, and management, merger and acquisition negotiations.

Gisa Dr Moses Ma'alo Faleolo

Gisa Dr Moses Ma'alo Faleolo or Moses is a Sāmoan born in Aotearoa and the son of Leaula (Falelima & Sāleaula) and Pepe (Luatuānu'u-Leusoali'i). His paramount chief title, Gisa, is bestowed on him by the village of Falelima in Savai'i, Sāmoa.



Moses is a registered social worker and his career spans over three decades. His career includes being a case manager specialising in Youth Benefits for Work and Income New Zealand, a residential and youth justice social worker for Child Youth and Family Service, a youth worker specialist for Youth Horizons Trust and Pasifika Healthcare (now trading as The Fono), and a senior social work lecturer for Manukau

Institute of Technology and Massey University.

Moses has a PhD in social work, which was the first of its kind as it featured life histories collected from gang-involved Sāmoan young men and covered the employment of Sāmoan cultural practices as part of gang activity. He recently switched to criminology and is now based at Victoria University of Wellington where amongst his roles he is currently leading a Marsden-funded project that seeks to construct a new criminological strand called Pacific criminology – explaining and understanding criminology from a Pacific lens in order to generate specific Pacific solutions. Moses joined the SWRB Board in September 2022.

Rose Henderson

Rose Henderson has a long history in the social work profession. She began as a social worker in the Invercargill office of the Department of Social Welfare in the late 1970s and found time, amidst a busy family life, to establish and co-ordinate the Invercargill Women's Refuge. After working in a range of social work positions in Southland, Rose then moved north to Christchurch, continuing to work in the Women's and Mental Health fields. After working in a number of leadership roles she became a Director of Allied Health in Canterbury. She has provided clinical leadership in various disaster response and recovery roles and has led a range of teams in both urban and rural Canterbury.



Rose was President of the ANZASW, from 2003 to 2009, and again in 2016 and is now a Life Member of her professional body. She is also a Past Vice-President of the International Federation of Social Workers (IFSW) and Immediate Past President of the Asia-Pacific region of IFSW.

Rose is a registered social worker and has a depth of knowledge across health social work and employer relations and many experiences of representing social workers at a national and international level.

Lois Hutchinson

Lois has over 30 years' senior management experience in the public sector in the areas of social justice regulation as the statutory decision maker for the Video Recordings Authority and Deputy Chief Censor at the Office of Film and Literature Classification; in health as General Manager, Hospital Services at Midcentral DHB; and transport as Chief Executive of the Transport Accident Investigation Commission (TAIC). Working in these sectors, Lois developed particular expertise in the delivery of mandated services, both domestic and international, that operate to avoid or reduce harm to people and organisational operating environments.



Through her work at TAIC and alongside associated international treaty organisations, Lois also has expertise in developing organisational strategy and improved performance to achieve policy and legislative intentions relating to transport safety in the aviation, rail and maritime sectors.

Lois is currently the Deputy Chairperson of the Radiation Safety Advisory Council and a member of WorkSafe New Zealand Board. She is a Fellow of the Australian Institute of Health and Safety (Hon.) and holds degrees of Master of Public Policy from Victoria University of Wellington, and Master of Science – Managing Organisational Performance from Cranfield University, UK.

Lois joined the SWRB Board in June 2023.

Andrea Nichols

Andrea is a registered social worker with over 25 years of experience working with children, young people and their whānau within both NGO and statutory settings. Until recently she was the Director, Safety of



Children in Care at Oranga Tamariki, a unit that is responsible for reviewing and reporting on harm caused to children in care. She currently works in the Office of the Chief Social Worker where she is Director, Social Work Strategy.

Andrea has a strong interest in supervision and professional development for social workers.

Jeff Sanders QSO

Jeff Sanders has experience as a senior manager and chief executive in the NGO sector, working in organisations focused on providing services that make a positive difference to people's lives. These included IHC NZ, the Methodist Church, Relationships Aotearoa, and Barnardos NZ, from which he retired as Chief Executive in early 2019.



Jeff's career has allowed him to be connected to local community needs which has given him a desire and ability to seek out systemic change and ensure excellent provision of services. He has strong relationships across the NGO and government sector and has built effective leadership teams in the organisations that he has led.

Jeff has experience and understanding of how governance structures operate and what is required when considering and governing strategic implementation of programmes of work. Jeff understands and is committed to the principles of te Tiriti o Waitangi.

Chief Executive – Sarah Clark

Sarah joined the SWRB in May 2017 as Chief Executive after holding a number of roles within the state sector. Originally from Christchurch, Sarah has a Masters in Geography, and a thesis on female offending. Her career has taken her on a diverse path, including Superu (Families Commission) as Director of Client Services with a focus on building evidence and insights informed policy, and at the Office for Seniors as its Director and as the General Manger for the Parliamentary Commissioner for the Environment.



She believes the SWRB is well placed to lift awareness of the importance of public safety and building trust and confidence, and to support the professionalisation of social workers.

Appendix three: Social Workers in New Zealand

SWRB holds a public register of all registered and practising social workers. The Register is public! This enables the public, and employers, to check the register to find out if the professionals they are coming into contact with are registered social workers and hold a current practising certificate. Below are some statistics on our registered and practising social workers from the 2022/23 year.

Total social workers on SWRB's register

2022/23: **11,850**

2021/22: **11,205**

2020/21: **10,523**

New to the register

2022/23: **650** – of these:

- 90% were NZ qualified
- 4% were S13 Experience pathway
- 6% were overseas qualified (including Australia)

2021/22: **661**

2020/21: **1,943**

Practising certificates held

2022/23: **8,707**

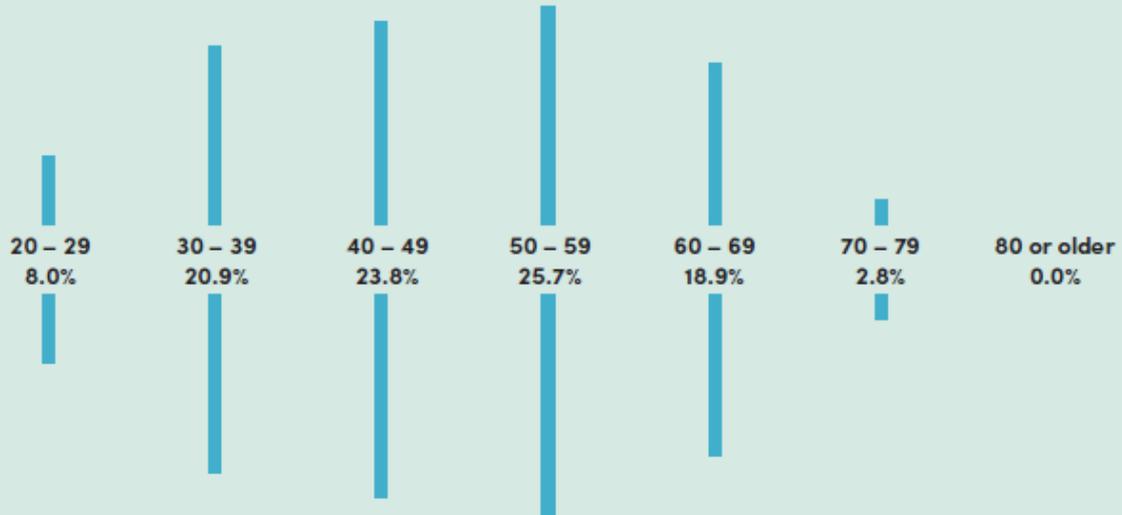
2021/22: **8,680**

2020/21: **7,453**

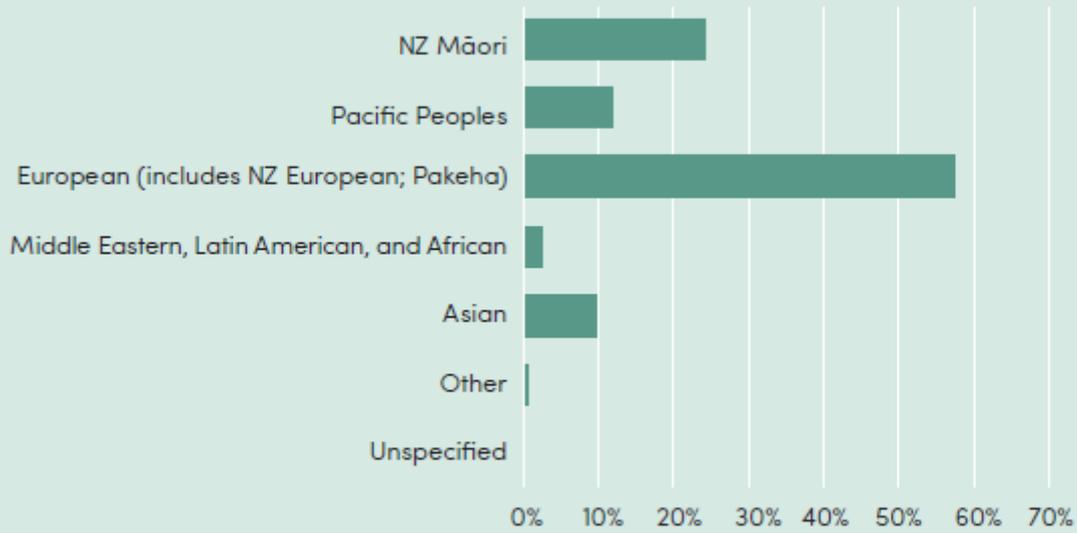
Practising social workers by gender



Practising social workers by age



Practising social workers by ethnicity*



*Social workers can identify with more than one ethnic group, so totals exceed 100%

Practising social workers by geographic region (as of 30 June 2023)

