



**Social Workers  
Registration Board**  
Kāhui Whakamana Tauwhiro

**SWRB FEES AND DISCIPLINARY LEVY**  
Consultation on change proposals

December 2023 – January 2024

## Contents

1. Introduction .....	3
Taking a system approach to reducing harm .....	3
Past fee and disciplinary levy consultation.....	3
The rules for setting charges in the public sector.....	3
2. Our vision, purpose, role and outcomes .....	4
Our Vision Social workers in Aotearoa are accountable, recognised and valued. ....	4
Our Purpose.....	4
Our Role.....	4
Our Outcomes .....	5
3. Consultation process .....	6
How to provide feedback .....	6
Question and Answer sessions.....	6
What happens after the consultation period ends?.....	6
4. Change proposals for the fees and disciplinary levy .....	7
How cost recovery is implemented .....	7
<b>Section 1: Fees and disciplinary levy changes.....</b>	<b>8</b>
Proposal 1: Practising certificate fee increase.....	8
Proposal 2: Disciplinary levy (annual) increase .....	8
Proposal 3: Registration application fee increase .....	10
Proposal 4: Provisional to Full Registration Application fee.....	10
Proposal 5: Overseas qualification assessment application fee increase .....	10
Proposal 6: Overseas applicant registration fee increases for competence assessment.....	11
Proposal 7: Certificate of Good Standing or replacement hard copy registration certificate fee decrease .....	11
Proposal 8: Return to practise application fee decrease.....	12
<b>Section 2: Change in approach .....</b>	<b>13</b>
Proposal 9: Annual CPI (inflation) adjustments to the fees and disciplinary levy .....	13
Question 10: Future Education work.....	13
What happens if the proposals do not proceed?.....	14
Table of proposed fees and disciplinary levy .....	15
Table of unchanged fees .....	16
5. Process for setting the fees and disciplinary levy .....	17
6. Comparison of fees and levies by occupation .....	18
7. Our funding since 2021/22 and indicative revenue based on the proposals .....	18
8. Our regulatory functions and wider role .....	20
9. Fee and levy sections under the Act.....	24
Setting charges in the public sector.....	24
10. Our assessment of economic characteristics and funding source for our regulatory functions.....	25

He ara pūkenga, he ara tauwhiro, hei whakamana mātā waka  
The many pathways of knowledge, the many pathways of social work,  
upholding the dignity of all

## 1. Introduction

This consultation document sets out proposals to change the fees and disciplinary levy charged by the Social Workers Registration Board (SWRB). It outlines the work that is covered by the fees we charge and explains the guidelines we follow when setting the fees and disciplinary levy.

### Taking a system approach to reducing harm

SWRB is a modern regulator who takes a macro view, rather than the micro view of a traditional regulator. The modern regulator approach focuses on reducing harm across the whole system, where traditional regulators rely on transactional interventions such as registration, investigations and disciplinary proceedings that require compliance with good practice. Traditional regulation can reduce harm to a certain point, but taking a system approach addresses this challenge more holistically with modern interventions that support and encourage social worker good practice.

The proposals in this document enable the SWRB to continue on the journey as a modern regulator to enhance the professionalism of social workers, through a range of activities that increase accountability and safe practice, and strengthen the standing of the profession.

### Past fee and disciplinary levy consultation

When the SWRB previously consulted about fees and levy charges in 2021, mandatory registration of social workers had been in place for just under a year. It has been a time of great change for both the profession, and employers. Our modelling was presented to the Board in 2021 just as the social work sector were on the cusp of a new era of professionalism.

Since then, the SWRB has continued to develop and refine systems and processes, seeking efficiencies wherever possible. It remains important that there is no cross-subsidisation across our regulatory activities and that the fees applied are being recovered for the intended purpose. We have faced a combination of higher/variable volumes of activity in some areas than anticipated, along with number of cost pressures, similar to those experienced across New Zealand.

### The rules for setting charges in the public sector

We are a Crown entity, so we are part of government. This means we must apply current government policy settings under the Office of the Auditor General (OAG) and the Treasury guidelines for setting charges in the public sector. We have applied these guidelines for the 2023/24 funding review in the same way we did for the 2021/22 funding review. You can read more about our assessment of activities applying the OAG and Treasury guidelines at the end of this document.

Under the guidelines, fees and levies need to be reviewed regularly to ensure they remain appropriate, and the assumptions on which they are based (for example volume, demand and cost increases), remain valid and relevant. Both guidelines broadly instruct that fees and levies should:

- be no more than the amount necessary to recover costs,
- not be used to cross-subsidise other services or functions (unless the government agency is expressly authorised to do so by the Government),
- be based on the principles of authority, efficiency, and accountability.

## 2. Our vision, purpose, role and outcomes

The SWRB is Aotearoa New Zealand’s occupational regulator of the social work profession, established under the Social Workers Registration Act 2003. In addition, we are the Lead Agency for workforce planning for all social workers. As a Crown Agent under the Crown Entities Act 2004, we are monitored by the Ministry of Social Development and accountable to the Minister for Social Development and Employment.

### Our Vision

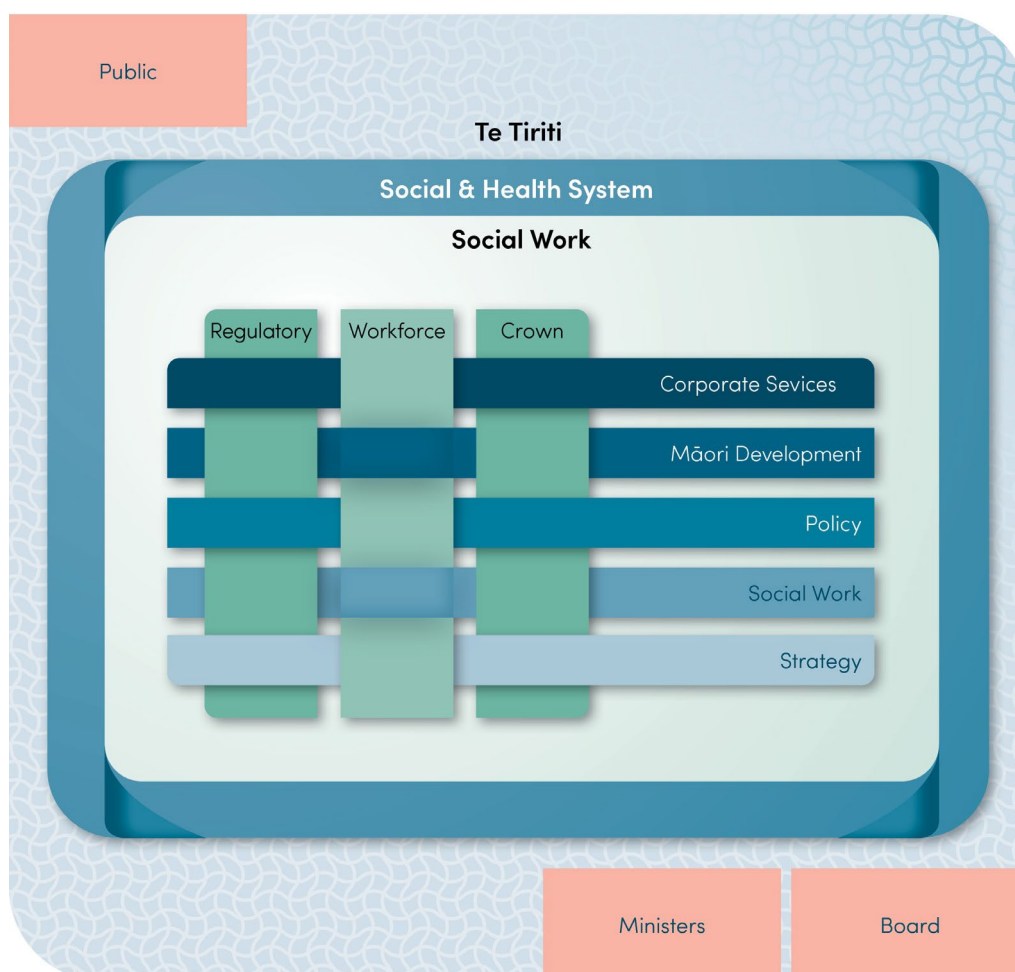
Social workers in Aotearoa are accountable, recognised and valued.

### Our Purpose

Our 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 also enhance social workers’ professional practice and provide insight into the opportunities and challenges facing the social worker workforce.

### Our Role

Our role can be described under three key areas of focus: **Regulatory**, **Workforce** and **Crown**. Our operating model is presented below.



### *Regulatory*

Our role as the regulator of social workers is set out in the Social Workers Registration Act 2003 and includes enhancing the professionalism of social workers. We use a range of regulatory tools, including:

- the registration of social workers and maintaining a public register of social workers
- issuing practising certificates
- publishing a scope of practice, code of conduct, and core competencies
- managing concerns, complaints, and notifications
- prescribing standards in social work education.

The SWRB provides administrative support to the Social Workers Complaints and Disciplinary Tribunal, which is a quasi-judicial independent body responsible for the prosecution of social workers through the disciplinary process. We also provide policy advice to Government that supports professional and accountable social work.

Our regulatory functions are funded on a cost recovery basis, through the fees and disciplinary levy.

### *Workforce*

The SWRB is the Lead Agency for workforce planning for all social workers. Our workforce planning Lead Agency role was assigned to us by Cabinet and publicly announced by the Minister for Social Development and Employment in March 2021. We facilitate and connect across the sector, collect and analyse social worker workforce data and information, and provide insights for others to use in workforce planning.

The Cabinet Paper designating the SWRB as the Lead Agency sets out the Government's expectations for how the SWRB is to provide and support workforce planning for all social workers within existing statutory mandates and available resources.

The Lead Agency role aligns with the stated purpose of the Social Workers Registration Act 2003 to protect public safety and enhance the professionalism of social workers, which enables us to report to Government through our existing accountability relationship with the Minister for Social Development and Employment and the Ministry of Social Development.

This role is fully funded by the Crown.

### *Crown Agent*

The SWRB is a Statutory Crown Agent under the Crown Entities Act 2004. As part of the Crown, we must meet the requirements of the Crown Entities Act, the Public Service Act, and the Public Finance Act, as well as our own establishment legislation. The SWRB is governed by a seven-member Board appointed by the Minister for Social Development and Employment.

The SWRB's performance is monitored by the Ministry of Social Development on behalf of the Minister for Social Development and Employment. In addition to legislative requirements, the Enduring Letter of Expectations, issued jointly by the Ministers of Finance and the State Sector in 2019, sets out government's expectations of the SWRB and of the Board.

### *Our Outcomes*

Our outcomes guide where we put our effort and resources and are driven by how we bring our legislation to life and reflect priorities of our Minister and government. Our Outcomes Framework 2022-2026 outlines our high-level outcomes:

- be an active partner with Māori
- be responsive to Aotearoa’s diverse communities
- promote public trust and confidence in the social work profession
- enable social workers to demonstrate strong professional practice
- support registration of sufficient social workers to meet the growing demand for social work services.

More information is available about our strategic direction, context, financial position, and wider Government priorities in our:

- [Statement of Intent 2022-2026](#)
- [Statement of Performance Expectations 2023-24](#)
- [Annual Report 2022-23](#)

These documents are available on our website: <https://swrb.govt.nz/about-us/news-and-publications/publications/>.

### 3. Consultation process

We welcome your feedback on the proposals set out in this document. The proposals ensure we have the minimum viable resources to meet our obligations as Aotearoa’s social worker regulator under the Social Workers Registration Act 2003.

As noted in the introduction, to set the fees and disciplinary levy, the SWRB uses a cost recovery framework that is consistent with guidelines published by the New Zealand Treasury (2017), and the Office of the Controller and Auditor General (2021). Under the guidelines, we can only charge for the work we are required to do under the Act at the level and standard expected by Government, with the costs recovered from the right person or group. We are also required to be financially sustainable without Crown funding. More about this is in Part 9 of this document.

#### How to provide feedback

There are two ways to feedback on the proposals in this document:

1. fill in the online submission form at <https://www.surveymonkey.com/r/6HDLNDB>, or
2. email a written submission to [submissions@swrb.govt.nz](mailto:submissions@swrb.govt.nz).

Please provide your feedback before **5.00pm on Sunday 28 January 2024**.

Submissions received after that date will not be considered.

#### Question and Answer sessions

We are holding Zoom hui for you to hear about the proposals and ask any questions you may have.

The question and answer sessions are:

- Thursday 18<sup>th</sup> January 10.00am – [Zoom link](#)
- Tuesday 23<sup>rd</sup> January 2.45pm – [Zoom link](#)

#### What happens after the consultation period ends?

The feedback you provide to us using the online form or by email will be considered against the requirements in the Auditor General and Treasury guidelines and our Act. Your feedback will help inform the recommendations we make to our Board as they make their decision on the proposed changes. If the Board decides to change the fees and levy, these will be published in the New

Zealand Gazette. The Gazette new Fees and Disciplinary Levy Notice will confirm the dates that the changes will apply from. It is anticipated that any new charges will be in place for 2024-2025 practising certificate renewals.

Our online submission form contains questions for you to respond to and an opportunity to provide general comments. Alternatively, you can choose to email us a written submission. If you are emailing us, it would be helpful to provide the number of the proposal you are referring to when making specific comments.

The change proposals are set out below in two sections:

Section 1	Fees and disciplinary levy increases	Proposal 1-8
Section 2	Change to introduce annual CPI (inflation) adjustments	Proposal 9
	Future Education Work	Question 10

NOTE: The fees and disciplinary levy are shown as GST inclusive.

## 4. Change proposals for the fees and disciplinary levy

How cost recovery is implemented

The SWRB is committed to ensuring it operates an appropriate cost recovery framework. That means making sure we have the right approach for sustainable recovery of costs to meet our regulatory functions. This includes a proposal to allow for annual CPI (inflation) adjustments, as well as changes to the current fees and levy charged.

The work we have undertaken in the development of this proposal has included:

- assessing the resources required to reduce current pressures and enable us to operate as an effective modern regulator
- assessing the balance of the implementation resources required and costs not met by Crown funding (including changes to the professional framework, competence assessment, complaints procedures, the quasi-judicial disciplinary tribunal procedures, and standards setting for social work education)
- investigating process efficiency gains including building on our iMIS MySWRB database
- updating the SWRB's financial model (March 2021)
- checking our assessment of the economic characteristics of our services and functions for categorisation as private good (fees funding), club goods (levy funding) and public goods (Crown funding) under the OAG and Treasury guidelines.

Note that under the OAG guidelines, setting a fee that recovers more than the costs of providing the service could be viewed as a tax. Unless expressly authorised by statute, this would breach the constitutional principle that Parliament's explicit approval is needed to impose a tax.<sup>1</sup> Accordingly, any authority given to the SWRB to charge a fee is implicitly capped at the level of cost recovery.

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<sup>1</sup> See section 22(a) of the Constitution Act 1986

## Section 1: Fees and disciplinary levy changes

### Proposal 1: Practising certificate fee increase from \$470 to \$552

This proposal applies to a practising registered social worker for a practising certificate issued for 12 months from 1 July to 30 June each year.

This fee is our main source of annual funding. It recovers the cost of providing the regulatory system and issuing around 8,700 practising certificates each year. Providing the regulatory system includes work on enhancing the professionalism of social workers and meeting our obligations to Māori, Pacific peoples and the diverse communities of Aotearoa.

The fee is set under sections 108(1)(c) and (k) of the Act. Under the Auditor General and Treasury guidelines, registered social workers as a group should meet this cost. However, most employers pay this fee for the social workers they employ.

The proposed fee increase reflects the increase in the consumer price index (CPI) since the last fee and levy review.

**Impact on registered social workers:** The majority of registered social workers have their practising certificate fee paid by their employer, either directly to SWRB or by reimbursement.

The SWRB continues to encourage all employers to pay for their social workers' practising certificates. The pay equity extension for social workers in the government-funded community-based sector (NGOs) included funding for practising certificates which should help further increase the number of social workers who have their practising costs covered by their employer.

**Proposal 1 question:** Do you agree that the practising certificate fee should increase to enable SWRB to cover the costs required to meet SWRB's obligations under the Act? YES/NO/DON'T KNOW– please tell us why.

### Proposal 2: Disciplinary levy (annual) increase from \$135 to \$219

The disciplinary levy recovers the cost of the SWRB's disciplinary activity. This includes managing complaints and concerns, investigations, providing legal advice to the Professional Conduct Committees (PCCs) and administration of PCCs and the Social Workers Disciplinary Tribunal (Tribunal). This is essential activity for upholding professional standards.

The levy is set under section 109 of the Act. Under the Auditor General and Treasury guidelines registered social workers as a group should meet this cost. However, most employers pay the levy for social workers employed by them.

Since the introduction of mandatory registration in 2021 we continue to see a relatively high volume of complaints and associated disciplinary activity. The proposed increase is to recover the cost of the work involved in disciplinary proceedings.

Some of the costs associated with PCCs and Tribunal hearings are externally driven, for example increased fees for PCC and Tribunal members and independent expert advisers and lawyers. It should be noted that the legal advice for PCCs and the Tribunal does not include legal advice to social workers who have had a complaint made against them. In 2021/2022 we received 159 total



concerns and complaints and this increased to 196 in 2022/23. For the first quarter of 2023/24 we have received 57 complaints and concerns with 13 PCCs currently active, and three cases referred to the Tribunal.

We have sought efficiencies, including by bringing the Tribunal and PCC administration and legal advice for PCCs in house. This has resulted in tangible savings and is a more cost-effective way to manage this area of disciplinary activity. However, these savings are not enough to offset the increased demand we are experiencing, driven by the continued increase in the number of complaints and reports. It should also be noted that while the number of PCCs has fluctuated, it is difficult to forecast future trends of the limited time series we have in the mandatory environment.

The proposed increase to \$219 reflects the increasing volume in our disciplinary activities including complaints, along with cost pressures such as external legal advice when required.

The table below provides comparisons with other professional organisations that highlights the level of complaints referred to SWRB for response compared to other professions.

Professional occupation	Register Size	Complaints	Ratio of complaints to Register
<b>Practising</b>	<b>2022/23</b>	<b>2022/23</b>	
Registered social worker (Practising)	8,707	196	1:44
<b>Practising</b>	<b>2021/22</b>	<b>2021/22</b>	
Registered social worker (Practising)	8,680	159	1:55
Chiropractor	973	5	1:195
Dental practitioner (Practising)	4,925	213	1:23
Dietitian	854	0	-
Lawyer	16,401	638	1:26
Medical practitioner (practising)	18,784	237	1:79
Midwife	3,450	35	1:99
Nurse	65,419	355	1:184
Pharmacist	4,231	54	1:78
Psychologist	4,786	66	1:73
Physiotherapist	6,353	27	1:235
Optometrist	1,051	7	1:150
Teacher	109,441	638	1:172

**Impact on registered social workers:** Registered social workers support the reputation of the profession by having registered social workers held to account on disciplinary matters.

The majority of registered social workers have their disciplinary levy paid by their employer. This is paid for at the same time as the practising certificate fee.

**Proposal 2 question:** Do you agree the disciplinary levy should increase to enable SWRB to cover the costs required to meet SWRB's obligations under the Act? YES/NO/ DON'T KNOW– please tell us why.

#### Proposal 3: Registration application fee increase from \$360 to \$423

The registration application fee applies to an applicant seeking to be a registered social worker. The fee recovers the cost of assessing registration applications and is set under section 108(1)(a) of the Act. Under the Auditor General and Treasury guidelines the applicant should meet this cost. Many employers pay the registration application fee for social workers they employ.

If registration documents are not received by SWRB within 6 months of the application being received by SWRB, a new registration application fee must be paid.

The proposed fee increase reflects the increase in the consumer price index (CPI) since the last fee and levy review.

**Proposal 3 question:** Do you agree the registration application fee should increase to enable SWRB to cover the costs required to meet SWRB's obligations under the Act? YES/NO/ DON'T KNOW – please tell us why.

#### Proposal 4: Provisional to Full Registration Application fee from \$60 to \$70

The provisional to full registration application fee applies to a provisionally registered social worker who is progressing to full registration. Provisionally registered social workers are required to complete 2000 hours of social work practice and meet any conditions on their provisional registration.

The fee recovers the cost of assessing whether a provisionally registered social worker should move to full registration.

The proposed fee increase reflects the increase in the consumer price index (CPI) since the last fee and levy review.

**Proposal 4 question:** Do you agree that the provisional to full registration application fee should increase to enable SWRB to cover the costs required to meet SWRB's obligations under the Act? YES/NO/ DON'T KNOW – please tell us why.

#### Proposal 5: Overseas qualification assessment application fee increase from \$540 to \$635

This fee applies to someone applying for registration through the overseas registration pathway. It applies when the applicant has an overseas qualification and does not have an SWRB-recognised New Zealand qualification.

The fee recovers the cost of assessing overseas applicant qualifications. The fee is set under section 108(1)(a) of the Act and is charged in addition to the registration application fee. Under the Auditor General and Treasury guidelines the applicant should meet this cost.

The proposed increase is to cover the cost of the work required to assess the qualifications of overseas applicants. The increase also reflects the costs increase in the consumer price index (CPI) since the last fee and levy review.

**Proposal 5 question:** Do you agree the Overseas qualification assessment application fee levy should increase to enable SWRB to cover the costs required to meet SWRB's obligations under the Act? YES/NO/ DON'T KNOW – please tell us why.

Proposal 6: Overseas applicant registration fee increases for competence assessment

- a. Overseas applicant provisional registration competence assessment application fee increase from \$345 to \$1,012
- b. Overseas applicant full registration competence assessment application fee \$345 to \$1,012

The fees apply to a registration application by an applicant who has an overseas qualification and does not have a SWRB-recognised New Zealand qualification. There are two competence assessment application fees that only apply to overseas applicants and are set under section 108(1)(j) of the Act.

The overseas qualifications assessment fee and registration application fee also applies. Under the Auditor General and Treasury guidelines the applicant should meet the cost.

The proposed increase is to recover the cost of the work involved in assessing the competence of overseas applicants. The increase also reflects the costs increase in the consumer price index (CPI) since the last fee and levy review.

**Proposal 6 question:** Do you agree the overseas qualification assessment fees should increase to enable SWRB to cover the costs required to meet SWRB's obligations under the Act? YES/NO/ DON'T KNOW – please tell us why.

Proposal 7: Certificate of Good Standing or replacement hard copy registration certificate fee decrease from \$70 to \$63.

This fee applies to a request for a Certificate of Good Standing for overseas registration purposes or a hard copy of a registration certificate.

The fee recovers the cost of providing the certificate and is set under section 108(1)(e) of the Act. Under the Auditor General and Treasury guidelines the applicant should meet this cost.

The evaluation of all fees and associated processes identified that this fee should be reduced to reflect current practices.

**Proposal 7 question:** Do you agree that the Certificate of Good standing or replacement hard copy registration certificate fee should decrease? YES/NO/ DON'T KNOW – please tell us why.

#### Proposal 8: Return to practise application fee decrease from \$345 to \$224

This fee applies to a social worker who is returning to practise social work following a period of not practising. It applies when the return to practise application is received by the SWRB three years or more after the applicant's previous practising certificate expiry date.

The fee recovers the cost of checking a registered social worker's health, competence, and fitness to practise where their previous practising certificate expired at least three years ago. It is set under section 108(1)(k) of the Act. Under the Auditor General and Treasury guidelines the applicant should meet this cost.

The review found that the costs required to undertake this work have reduced due to systems efficiencies and therefore the fee should decrease.

<p><b>Proposal 8 question:</b> Do you agree that the return to practise application fee should decrease? YES/NO/ DON'T KNOW – please tell us why.</p>
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## Section 2: Change in approach

### Proposal 9: Annual CPI (inflation) adjustments to the fees and disciplinary levy

We propose to annually adjust fees and the disciplinary levy in line with the Consumer Price Index (CPI) – the annual inflation rate - without undertaking consultation, noting that the Board may still choose to consult, depending on the specific circumstances. The Board may set fees and the disciplinary levy as specified in sections 108 and 109 of the Social Workers Registration Act 2003.

The costs for our regulatory functions have increased in the past three years, as they have for other organisations, but the fees and the levy have not kept pace. Doing annual CPI adjustments reduces the need for large increases all at once. The principles that the Board would apply when determining whether to consult include scale, materiality and reasonableness.

Since the SWRB's costs in undertaking consultation are met by registered social workers or their employers, we would only consult if the increase to the fees and levy is for significant change projects or much higher levels of work. This approach is taken by other Crown entity regulators who, like the SWRB, are authorised through their Act to set fees by a Gazetting a notice. Their Act does not require them nor their Minister to consult.

This approach cannot be taken by other regulators who are required by their Act to set fees and levies in regulations, which can only be drafted by the Parliamentary Council Office and approved by their Minister. In some cases, their Act also requires the Crown entity or the Minister to consult. The Auditor General and Treasury guidelines suggest that public consultation be done for significant changes to fees and levies unless it is difficult to do so. An example is where a transition period end date under an amended Act is close to the entity's annual fee or levy payment round, leaving insufficient time to properly consult, and volume and activity too uncertain to forecast costs and revenue before the transition period ends.

**Impact on registered social workers:** While the fees and levy are likely to increase annually, linking this to the CPI will provide certainty and help any future larger increases. We will consult on any proposed new fees, increases due to significant change projects, and if much higher levels of work are required that need significant funding.

**Proposal 9 question:** Do you agree SWRB should annually CPI (inflation) adjust the fees and levy to keep pace with inflation without doing public consultation? YES/NO/ DON'T KNOW – please tell us why.

### Question 10: Future Education work

Currently the costs of education work, such as education reviews, are not fully recovered. The SWRB is reviewing the Education Framework and will review fees charged to education institutions once this work has been complete.

**Question 10:** Do you think that the cost of regulatory education work should be paid for by education providers? YES/NO/ DON'T KNOW – please tell us why.

What happens if the proposals do not proceed?

#### *Reduced SWRB regulatory functions*

If the proposals above do not proceed, due to the cost-recovery model under the Auditor General and Treasury guidelines and the requirements in our Act for setting fees and the levy, it is likely that SWRB would not be able to meet all of its obligations under the Act.

Reduced regulatory functions also increase the risk of regulatory failure. Lessons from regulatory failures like Pike River, weathertight buildings, and Waka Kotahi's third-party oversight practices have prompted a growing focus on a risk-based, adaptive approach to regulation and oversight, and has increased regulatory stewardship expectations placed on regulators, including SWRB.

#### *Reduced SWRB regulatory functions impacts registered social workers*

If the proposals above do not proceed, SWRB's reduced regulatory functions will likely impact registered social workers as follows:

- Registered social workers paying the practising certificate fee will continue to cross-subsidise activities provided to other individual registered social workers, such as registration of overseas applicants who under the Treasury and Auditor General guidelines should meet the cost.
- Registered social workers who are notified to SWRB, or who a complaint is made about, may not be held accountable and continue to practise, negatively impacting the profession's reputation.
- SWRB would have fewer resources to enable our communications, meaning:
  - reduced resource to promote and encourage high standards of practice and professional conduct among registered social workers and the employers of registered social workers to meet SWRB's obligations under section 99 of the Act.
  - reduced use of digital channels, and communications campaigns to improve social worker professionalism
  - limited resource to be an active partner with Māori to meet SWRB's obligations under section 100 of the Act and to seek the views of Pacific peoples and other cultures in New Zealand to meet SWRB's obligations under section 101 of the Act

Table of proposed fees and disciplinary levy

Fees and the disciplinary levy \$ including GST	Proposal number	Current	Proposed
<p><b>Practising certificate fee (annual)</b> The fee applies to a registered social worker to practise for 12 months from 1 July to 30 June each year.</p>	1	\$470	<b>\$552</b>
<p><b>Disciplinary Levy (annual)</b> The levy applies to a practising registered social worker.</p>	2	\$135	<b>\$219</b>
<p><b>Registration application fee</b> Applies to an applicant seeking to be a registered social worker. A new registration application fee must be paid if registration documents are not received by SWRB within 6 months of the application being received by SWRB</p>	3	\$360	<b>\$423</b>
<p><b>Provisional to full registration application fee</b> The fee applies to an applicant who is a provisionally registered social worker and has completed 2000 hours or more of practise and met any conditions on the applicant's provisional registration.</p>	4	\$60	<b>\$70</b>
<p><b>Overseas applicant: qualification assessment fee</b> Applies to a registration application by an applicant who has an overseas qualification and does not have a SWRB recognised New Zealand qualification</p>	5	\$540	<b>\$635</b>
<p><b>Overseas applicant: provisional registration competence assessment application fee</b> Applies to an applicant who has an overseas qualification and does not have a SWRB-recognised New Zealand qualification. The fee does not apply to an applicant who has been in New Zealand six months or more and has 2000 hours or more social work experience in New Zealand.</p>	6 (a)	\$345	<b>\$1,012</b>
<p><b>Overseas applicant: full registration competence assessment application fee</b> Applies to an applicant who has an overseas qualification, does not have a SWRB recognised New Zealand qualification.</p>	6 (b)	\$345	<b>\$1,012</b>
<p><b>Certificate of good standing or hard copy registration certificate fee</b> The fee applies to an application for a Certificate of Good Standing for overseas registration purposes or a hard copy of a registration certificate. There is no charge for digital copies of practising and registration certificates.</p>	7	\$70	<b>\$63</b>
<p><b>Return to practise application fee</b> The fee applies to a registered social worker where the application to practise is received by SWRB three years or more after the applicant's previous practising certificate expiry date. Applies if the application is received by SWRB more than 3 years after applicant's practising certificate expiry date</p>	9	\$345	<b>\$224</b>

Table of unchanged fees

The following fees have not been changed as part of this fees and levy review:		Total
<p><b>Experience pathway registration application fee</b></p> <p>Applies to an application by an applicant who does not have a SWRB recognised New Zealand qualification or an overseas qualification, and includes the panel assessment and registration application fee.</p> <p><i><b>Rationale:</b> Section 13 of the Act will be repealed in February 2024 and therefore the fee will not be applicable after this date</i></p>		<b>\$3,570</b>
<p><b>Education programme recognition vetting fee</b></p> <p>The fee applies to an education provider seeking SWRB recognition of a New Zealand education programme.</p> <p><i><b>Rationale:</b> The education standards are currently being reviewed. This will impact on the education programmes and may affect future fees.</i></p>	-	<b>Up to \$35,000</b>
<p><b>Education programme fee (annual)</b></p> <p>The fee applies to an education provider of a SWRB-recognised New Zealand qualification.</p> <p><i><b>Rationale:</b> The education standards are currently being reviewed. This will impact on the education programmes and may affect future fees.</i></p>	-	<b>Up to \$10,350</b>
<p><b>Competence review fee</b></p> <p>The fee applies to an applicant or a registered social worker where SWRB requires the applicant's or registered social worker's competence to be reviewed. The fee applies per review.</p> <p>This fee does not apply for a competence review because of a complaint.</p>		<b>\$540</b>
<p><b>Competence assessment fee</b></p> <p>The fee charged depends on the competencies involved and the process applied. The fee applies to an applicant or a registered social worker where SWRB requires the applicant's or registered social worker's competence to be assessed.</p>		<b>Up to \$3,330</b>



## 5. Process for setting the fees and disciplinary levy

The fees and disciplinary levy are set by the Board under sections 108 and 109 of the Social Workers Registration Act 2003 and notified by a Gazette Notice.

The current Fees and Disciplinary Levy Notice 2022 is ongoing unless changed by the Board. Here is a summary of what a charge can be set for and who pays:

Type of fee or levy set
<b>Fees:</b> Recover the cost of an activity SWRB provides directly to an individual registered social worker or education provider. Paid by the individual registered social worker (or their employer on their behalf) or an education provider, as applicable.
<b>Practising Certificate fee:</b> Is paid by a registered social worker (or their employer on their behalf) who wishes to practise, and annually to continue to practise. Recovers the cost of processing the application, and the balance recovers the cost of SWRB's functions.
<b>Education provider fee:</b> Paid by education providers annually to recover the cost of SWRB's functions attributable to them.
<b>Disciplinary levy:</b> Paid annually by registered social workers. Recovers the cost of complaints & notifications and disciplinary proceedings.

To ensure appropriate funding for volume changes, priority areas of work, and cost pressures, we reviewed the fees and disciplinary levy applying the Auditor General and Treasury guidelines on setting charges in the public sector.

See Part 9 for fee and levy sections of the Act, setting charges in the public sector, developing the proposals, our assessment applying the Auditor General and Treasury guidelines, and SWRB's functional areas and funding sources.

## 6. Comparison of fees and levies by occupation

There is a wide range in the fees and levies charged for regulated professions as set out in the table below. Even after the proposed increase, the SWRB would have the third lowest annual combined practising certificate fee and disciplinary levy of the seven other regulators identified.

If the practising certificate fee and disciplinary levy set in 2005 had been inflation adjusted each year as many other regulators do, the combined annual amount would now be \$715. Inflation adjusting the combined fees set in 2021 at \$605, would result in the combined fees now being \$688.11.

We have not included the Nursing Council (65,000+ register) and Teaching Council (109,000+ register) in the comparison table because:

- such large registers provide some scale efficiencies that are not possible for SWRB
- SWRB has additional obligations under its Act than those required of the Nursing and Teaching Councils.

The comparison of registration and practising fees, and the disciplinary levy (including GST) by occupation is set out below.

Comparison of fees and disciplinary Levy (\$ incl. GST)						
Professional occupation	Register Size	Current date (Gazetted)	Registration fee (one off)	Practising certificate fee (annual)	Disciplinary Levy (annual)	Total annual (PC & Levy)
Registered social worker			\$360	\$470	\$135	\$605
<b>Proposed</b>			<b>\$423.00</b>	<b>\$552.00</b>	<b>\$219.00</b>	<b>\$771.00</b>
Chiropractor	973	21 Feb 2023	\$153.00	\$1003.25	0	\$1003.25
Dental Hygienist	415	1 April 2023	\$632.56	\$912.96	\$5.67	\$907.29
Dietitian	854	1 April 2020	\$300.00	\$625.00		\$625.00
Occupational Therapist		31 Jan 2019	\$230.00	\$477.00	\$23.00	\$500.00
Optometrist (dispensing)	1,051	1 April 2023		\$860.00	\$20.00	\$897.00
Pharmacist (non-prescriber)	4,231	27 Feb 2023	\$369.00	\$850.00	\$100.00	\$950.00
Physiotherapists	6,353	1 April 2022	\$500.00	\$500.00	\$70.00	\$570.00

## 7. Our funding since 2021/22 and indicative revenue based on the proposals

If the proposals for the fees and disciplinary levy proceed, indicative revenue from fees, the disciplinary levy, Crown funding, and interest and sundry to recover our costs from 2024/25 is \$7.68m. This is an increase from 2022/23 revenue of \$2.33m from fees and the disciplinary levy, including \$705,000 from Crown funding for workforce planning, and \$114,000 for Crown Activities.

<b>SWRB financial position</b>					
<b>*Figure includes Workforce planning Government funding and expenses</b>	<b>2021/22 Actual</b>	<b>2022/23 Actual</b>	<b>2023/24 Forecast revenue as at September 2023</b>	<b>2024/25 Indicative</b>	<b>2025/26 Indicative</b>
<b>Revenue (GST exclusive)</b> From fees, Disciplinary Levy, Crown funding, and interest & sundry	\$5,103,694	\$7,965,044	\$5,338,000	\$7,675,436	\$7,835,581
<b>Expenses (including staff salaries)</b>	\$5,224,690	\$6,649,194	\$6,722,669	\$7,242,920	\$7,273,136
Revenue less expenses	-\$120,997	\$1,315,850	-\$1,384,669	\$432,516	\$562,445
<b>Reserves</b> (To cover short-term variations in revenue and economic shocks)	\$566,193	\$1,882,042	\$497,373	\$929,889	\$1,492,334

In the last two financial years SWRB received two sources of short-term funding from the Crown to fund specific projects. This includes:

- \$1.5m over two years from 2022/23 and 2023/24 to support the Social Worker Capability Building project, supporting the development of a regulatory training framework and resources for social workers with a focus on working with Oranga Tamariki (and sharing insights with the broader sector).
- \$980,000 in January 2023 to provide advice to Ministers on the public safety aspects of 'social work-like' roles included as part of the social workers' pay equity agreement in community and iwi sectors.<sup>2</sup>

In addition, we have continuing Government funding of \$114,000 to assist with meeting our Crown entity obligations.

**Note:** The changes from 2022/23 in surplus and reserves are because of time limited Crown funded projects (Social work-like and Social Worker Capability Building project). These created artificially high surpluses for 2022/23 which are not sustainable as expenses are paid for these projects and funding comes to an end at the end of the 2023/24 year.

<sup>2</sup> You can read more about this work here: <https://www.publicservice.govt.nz/system/public-service-people/pay-gaps-and-pay-equity/extension-of-pay-equity/>

## 8. Our regulatory functions and wider role

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 regulating social workers, 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.

#### How we work with the Minister

We provide advice to assist the Minister of Social Development and Employment (who is also directly supported by officials at the Ministry of Social Development (MSD)) on:

- Board member appointments
- Independent Social Worker Disciplinary Tribunal Chair and Deputy Chair (must be practising lawyers), social worker members, and lay members appointments
- monitoring of our operations, performance and managing associated risks
- setting our priorities in the annual Ministerial Letter of Expectations
- reviewing and approving our Statement of Performance Expectations and Statement of Intent (drafted by the SWRB)
- presenting the Annual Report and above Crown entity documents to the House of Representatives
- presenting the Board's Fees Notice to the House of Representatives for Gazetting.

Our Board Chair and Chief Executive typically meet with the Minister quarterly, and provide the Minister's office with:

- Quarterly reports – on progress against priorities and operational activities, including financial information
- Briefings – on events, issues management, and key operational policy decisions.

From time to time we have meetings with other Ministers such as the Minister for Children.

#### Our work with MSD

MSD is our Crown entity monitoring agency and works with us on policy advice to the Minister and others. We meet regularly with MSD and work closely with their teams:

- Strategy and Performance team – on our accountability reporting and other obligations under the Crown Entities Act 2004
- Policy team – for input to policy on social work and wider social services sector, legislative settings, and workforce planning.

#### Our sector leadership role and engagement

The SWRB has a unique position as the regulator of social workers, lead agency for social worker workforce planning, and Crown Entity. It enables us to operate within government and be a connector for the sector. Recently this has included work to provide advice to Te Kawa Mataaho – Public Service Commission on social work-like roles for the pay equity roll out to the social work sector. This, alongside our work with Oranga Tamariki, and our role as Workforce Lead showcases our growing leadership in the sector. The SWRB has a wide range of stakeholders across the government and non-government sectors. These include:

##### *Public Sector and Government*

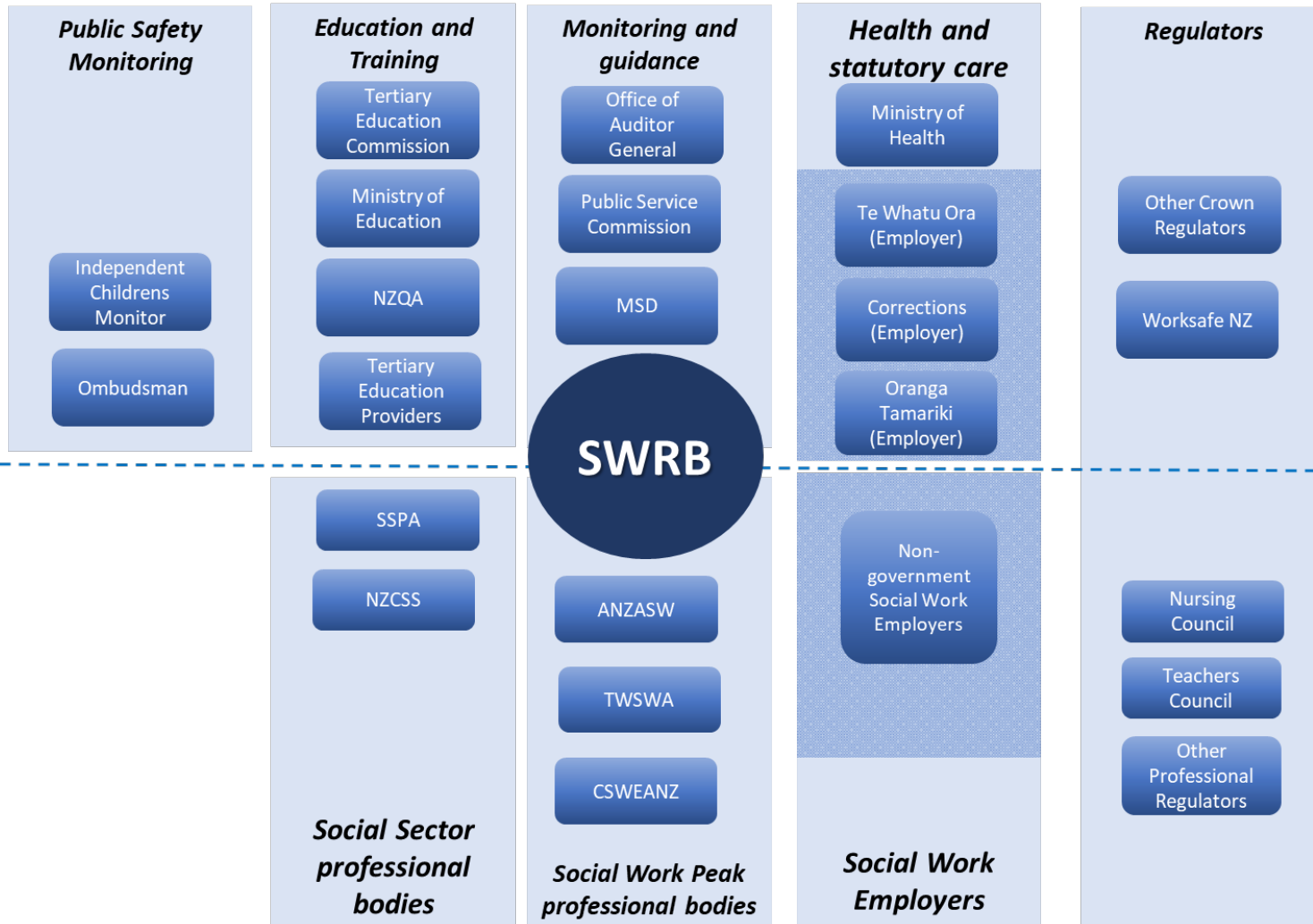
- MSD
- Oranga Tamariki
- Ministry of Education, New Zealand Qualifications Authority, Tertiary Education Commission
- Ministry of Health
- Public Service Commission,
- Other government regulators (WorkSafe).

##### *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
- Tangata Whenua Social Workers Association
- Social Service Providers Aotearoa
- New Zealand Christian Social Services
- Council for Social Work Education in Aotearoa New Zealand.

## Government departments and agencies



## Non-government organisations

## 9. Fee and levy sections under the Act

### Social Workers Registration Act 2003

#### Section 108 Board may set fees

(1) The Board may from time to time, by notice in the Gazette, set fees payable in respect of the following matters:

- (a) applications for registration:
- (b) additions or alterations to the Register:
- (c) the issue of practising certificates:
- (d) the issue of other certificates:
- (e) the issue of copies of certificates:
- (f) the supply of a copy of an entry in the Register:
- (g) inspecting the Register, or any other document kept by the Board that is open for inspection:
- (h) supplying to any registered social worker any document, other than a certificate of registration, required by him or her for the purpose of seeking registration overseas:
- (i) sitting any examination set or assessment recognised by the Board:
- (j) the setting and conduct of competence assessments:
- (k) any other matter relating to anything the Board is required to do in order to carry out its functions.

(2) The notice may exempt people of any kind or description from liability to pay any fee, and may provide for the waiver or refund of any fee.

#### Section 109 Disciplinary Levy

(1) The Board may from time to time, by notice in the Gazette, impose on every registered social worker a levy of any amount it thinks fit for the purpose of investigations and other proceedings concerning discipline under this Act.

(2) The notice may exempt people of any kind or description from liability to pay the levy, and may provide for the waiver or refund of the levy.

#### Setting charges in the public sector

##### *The Auditor General and Treasury guidelines we've applied*

We are a Crown entity, so we are part of government. This means we must apply current government policy settings under the Auditor General 2F 3 and Treasury guidelines 3F 4. We have applied these guidelines to the proposals. Under the guidelines, fees and levies need to be reviewed regularly to ensure they remain appropriate, and the assumptions on which they are based remain valid and relevant (e.g. to volume, demand, and cost increases).

## 10. Our assessment of economic characteristics and funding source for our regulatory functions

Here is our assessment of SWRB’s regulatory functions applying the Auditor General and Treasury guidelines.

Assessment of SWRB’s activities applying the Auditor General and Treasury guidelines					
Activity	Rationale	Activity funded by	Economic characteristics	Full/part cost recovery	Outcome sought
Registration	SWRB assessment of an applicant for assurance they are qualified, competent, and safe to practise as a registered social worker	<b>Registration application fee</b> – an applicant who seeks to be a registered social worker <i>One off</i>	<b>Private good</b> – user funded – the applicant is the primary beneficiary or primarily causes the need for the activity, which is provided directly to the individual	Full	Safety of members of the public is protected Social worker professionalism is enhanced Correct use of ‘social worker’ title
Provisional to full registration assessment	SWRB assessment of a provisionally registered social worker to move to full registration for assurance they are qualified, competent, and safe to practice as a registered social worker	<b>Provisional to full registration fee</b> – a provisionally registered social worker who has completed 2000 hours of practise and met any conditions on the applicant’s provisional registration <i>One off</i>	<b>Private good</b> – user funded – the provisionally registered social worker is the beneficiary or primarily causes the need for the activity, which is provided directly to the individual	Full	Safety of members of the public is protected Social worker professionalism is enhanced Registration standards are met Correct use of ‘social worker’ title
Practising certification	SWRB checks the applicant has not been removed from the register SWRB checks applicant’s declaration that they remain a fit and proper person to practice (Also recovers SWRB regulatory system costs)	<b>Practising certificate fee</b> (but operates as a <b>levy</b> ) – registered social workers to be able to practise - as a group, annually <i>Annual</i>	<b>Club good</b> – participant group funded – registered social workers as a group are the primary beneficiaries or primarily cause the need for the regulatory system	Full	Safety of members of the public is protected Correct use of ‘social worker’ title
Experience pathway (applies to February 2024)	SWRB assessment of an overseas applicant’s experience to be registered as a social worker, where no SWRB recognised qualification is held	<b>Experience pathway: assessment application fees</b> – an applicant does not have a SWRB recognised qualification wants to practise as a registered social worker <i>One off</i>	<b>Private good</b> – user funded – the applicant is the primary beneficiary or primarily causes the need for the activity, which is provided directly to the individual	Full	Safety of members of the public is protected Social worker professionalism is enhanced Correct use of ‘social worker’ title



Assessment of SWRB's activities applying the Auditor General and Treasury guidelines

Activity	Rationale	Activity funded by	Economic characteristics	Full/part cost recovery	Outcome sought
Overseas qualification assessment application	SWRB assessment of an overseas applicant's international qualification where no SWRB recognised qualification is held	<b>Overseas qualification assessment application fee</b> – an applicant who does not have a SWRB recognised qualification wants to practice as a registered social worker <i>One off</i>	<b>Private good</b> – user funded – the applicant is the primary beneficiary or primarily causes the need for the activity, which is provided directly to the individual	Full	Safety of members of the public is protected Social worker professionalism is enhanced Correct use of 'social worker' title
Overseas applicant competence assessment	SWRB assessment of an overseas applicant's competence to practise in New Zealand	<b>Competence review fee</b> – an applicant who has overseas qualifications wants to practise as a registered social worker in New Zealand <i>One off</i>	<b>Private good</b> – user funded – the applicant is the primary beneficiary or primarily causes the need for the activity, which is provided directly to the individual	Full	Safety of members of the public is protected Social worker professionalism is enhanced Correct use of 'social worker' title
Certificate of Gooding Standing or hard copy registration certificate	SWRB provides a Certificate of Good Standing for overseas registration purposes or a hard copy of a registration certificate <i>There is no charge for digital copies of practising certificates and registration certificates</i>	<b>Certificate of Gooding Standing or hard copy registration certificate fee</b> – a registered social worker requests a Certificate of Good Standing or a hard copy of their registration certificate <i>One off</i>	<b>Private good</b> – user funded – the registered social worker requesting the certificate is the primary beneficiary or primarily causes the need for the activity, which is provided directly to the individual	Full	Proof of authorisation as a registered and practising social worker
Education programme vetting for recognition by SWRB	SWRB vetting New Zealand education programmes to be recognised by SWRB For programme quality assurance	<b>Education programme recognition vetting fee</b> – a New Zealand education provider wants a programme recognised by SWRB <i>One off</i>	<b>Private good</b> – user funded – the applicant is the primary beneficiary or primarily causes the need for the activity, which is provided directly to them	Full	Quality education programmes Safety of members of the public is protected Social worker professionalism is enhanced Correct use of 'social worker' title
Education programme function	SWRB's work on programme change consultation, guidance, research, stakeholder and cross-agency engagement, and overheads	<b>Education programme annual fee</b> (but operates as a <b>levy</b> ) paid by New Zealand education providers (Allocated on a per equivalent full-time students (EFTS) graduating with social work degrees in the previous year)	<b>Club good</b> – participant group funded – education providers as a group are the primary beneficiaries or primarily cause the need for the education programme function, whether they use it or not	Full	Quality education programmes Safety of members of the public is protected Social worker professionalism is enhanced Correct use of 'social worker' title

Assessment of SWRB's activities applying the Auditor General and Treasury guidelines					
Activity	Rationale	Activity funded by	Economic characteristics	Full/part cost recovery	Outcome sought
Registered social worker CPD audits	SWRB audits of Continuing Practice Development logs of randomly selected or a target group of registered social workers with practising certificates Provides incentives to comply with CPD requirements	<b>Practising certificate fee (but operates as a levy)</b> – registered social workers <i>Annual</i>	<b>Club good</b> – participant group funded – registered social workers as a group are the primary beneficiaries or primarily cause the need for the social worker regulatory system, whether they are audited or not	Full	Registered social worker compliance with CPD requirements
Enquiries	SWRB work on enquires from students, social workers, employers, education providers, and the public Enquiries system provides assisted compliance for registered social workers and information to the public and others	<b>Practising certificate fee (but operates as a levy)</b> – registered social workers <i>Annual</i>	<b>Club good</b> – participant group funded – registered social workers as a group are the primary beneficiaries or primarily cause the need for the social worker enquiries system, whether they use it or not	Full	Registered social workers comply with the Act and regulatory framework Social worker professionalism is enhanced Public and others access to information
Complaints & notifications	SWRB work on complaints and notifications about a registered social worker's health, competence, or conduct, by another registered social worker, an employer, the public, or a government agency The complaints system supports registered social worker compliance	<b>Disciplinary Levy</b> – registered social workers <i>Annual</i>	<b>Club good</b> – participant group funded – registered social workers as a group are the primary beneficiaries or primarily cause the need for the complaints system, whether a complaint is received about them or not	Full	Access to redress for those who deal with non-compliant registered social workers Safety of members of the public is protected Social worker professionalism is enhanced Correct use of 'social worker' title
Professional Conduct Committee (PCC) and Disciplinary Tribunal support	PCC cases and Disciplinary Tribunal hearings Provides incentives for regulatory compliance by registered social workers and to protect the public (External to SWRB but funded by SWRB)	<b>Disciplinary Levy</b> – registered social workers <i>Annual</i>	<b>Club good</b> – participant group funded – registered social workers as a group are the primary beneficiaries or primarily cause the need for the disciplinary system, whether they have a case before a PCC or a hearing before the Disciplinary Tribunal or not	Full	Access to redress for those who deal with non-compliant registered social workers Safety of members of the public is protected Social worker professionalism is enhanced Correct use of 'social worker' title

Assessment of SWRB's activities applying the Auditor General and Treasury guidelines

Activity	Rationale	Activity funded by	Economic characteristics	Full/part cost recovery	Outcome sought
Secretariat for the Board Advice to the Board on social worker regulatory and compliance issues	SWRB work as part of the legal structure under the Crown Entities Act 2004	<b>Practising certificate fee</b> (but operates as a <b>levy</b> ) – registered social workers <a href="#">Annual</a>	<b>Club good</b> – participant group funded – registered social workers with a practising certificate, as a group, are the primary beneficiaries or primarily cause the need for the Board	Full	Assist Board governance under Crown Entities Act 2004 and Government guidelines and policy settings Safety of members of the public is protected Social worker professionalism is enhanced
Technical advice, policy development and provision social worker regulatory framework and system reviews Operational policy development	SWRN reviews and updates of regulation, policy, criteria, and processes to deliver on SWRB's legislative mandate	<b>Practising certificate fee</b> (but operates as a <b>levy</b> ) – registered social workers <a href="#">Annual</a>	<b>Club good</b> – participant group funded – registered social workers as a group are the primary beneficiaries of an effectively functioning regulatory system or primarily cause the need for the regulatory system primary beneficiaries	Full	Effective, and efficient delivery of SWRB's legislative mandate Trust in government institutions Safety of members of the public is protected Social worker professionalism is enhanced Correct use of 'social worker' title
Ministerial servicing, OIAs, technical advice to the Minister, responding to Parliamentary Committees	SWRB work to meet SWRB's obligations as a Crown entity under the Crown Entities Act 2004	<b>Crown funding</b> – from general taxation <a href="#">Annual</a>	<b>Public good</b> – wider public benefits to the public for the proper administration of government and trust in government institutions	Full ( <a href="#">Government decision that cost funded by Practising Certificate fee</a> )	Assist Ministers and the Government Trust in government institutions
Strategy, planning, and data and intelligence analysis and advice	SWRB work on business strategy, planning and reporting, risk trends identification for interventions to enhance social worker professionalism SWRB is an evidence based, intelligence-led, risk focused regulator	<b>Practising Certificate fee</b> (but operates as a <b>levy</b> ) – registered social workers with a practising certificate - as a group <a href="#">Annual</a>	<b>Club good</b> – participant group funded – registered social workers with a practising certificate, as a group, are the primary beneficiaries of an effectively functioning regulatory system or primarily cause the need for the regulatory system	Full	SWRB is an effective regulator using the modern regulator approach applied by other safety regulators

**Assessment of SWRB's activities applying the Auditor General and Treasury guidelines**

<b>Activity</b>	<b>Rationale</b>	<b>Activity funded by</b>	<b>Economic characteristics</b>	<b>Full/part cost recovery</b>	<b>Outcome sought</b>
Crown entity performance, reporting and other obligations under the Crown Entities Act 2004	SWRB work to meet SWRB's obligations as a Crown entity under the Crown Entities Act 2004	<b>Crown funding</b> – from general taxation <i>Annual</i> (Currently funded by the Practising Certificate fee)	<b>Public good</b> – wider public benefits to the public of compliance with the Crown Entities Act 2004 for the proper administration of government and trust in government institutions	Part (Government decision that balance of cost funded by Practising Certificate fee)	SWRB meets Government performance and policy objectives Trust in government institutions
Sector, cross-agency, education provider and international engagement	SWRB's work as part of the being a government agency	<b>Crown funding</b> – from general taxation <i>Annual</i> (Currently funded by the Practising Certificate fee)	<b>Public good</b> – wider public benefits of government agency collaboration	Full (Government decision that cost funded by Practising Certificate fee)	Government policy objectives are met Consistency across agencies Stay up to date with international good practice
Workforce planning function	SWRB work on workforce planning data, information and insights to help others identify where and when social workers are needed most	<b>Crown funding</b> – from general taxation <i>Annual</i> (Vote Social Development)	<b>Public good</b> – wider benefits of workforce planning to identify where and when social workers are needed most	None – Crown funded	Government policy objectives are met