



**National Council of
Women of New Zealand**

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Wahine O Aotearoa

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**Submission to the Social Services Select Committee on the
Social Workers Registration Bill**

The National Council of Women of New Zealand (NCWNZ) is the umbrella organization representing 43 nationally organized societies. It has 35 branches throughout the country attended by representatives of those societies and some 150 other societies. The Council's function is to serve women, the family and the community at local, national and international level through study, discussion and action. The Council has been serving in this way since 1896 and it was in 1931 that the first resolution was passed calling for training of social workers. In the ensuing 70 years the membership has repeatedly worked for the improved status, training and increased recruitment of social workers. With this latest submission the Council is hopeful at last that there will be recognition of the importance of the role of social workers in the community and the crucial need that they be registered.

There has been wide response from members showing the continuing keen interest NCWNZ has in this issue. The submission has been prepared by the Employment Standing Committee, including comment from corresponding members throughout the country. There has been study and written comment from the Social Issues Standing Committee, two nationally organised societies, six branches, members of the Board of management and other individual members.

Our body of resolutions and submissions pertaining to the area of social work dates from 1896 and includes comments on the Draft Code of Ethics and Bicultural Code of practice for the New Zealand Association of Social Workers 1993, comment to the Minister following the Ministerial Review of the Children, Young persons and their Families Act in 1992 and a submission on the Social Welfare Bill 1971.

EXECUTIVE SUMMARY

- **Registration:** Members hold the view that registration should be a requirement for practice as a social worker. It is long overdue and necessary if social work is to be seen as a service of competency.

While recognising that the number of social workers in government and private sector is inadequate and that the number of those who have a qualification is alarmingly low, there is no good reason why a lead-in period requiring all those working in the profession to become registered and show competency could not be signalled.

NCWNZ understands that the Early Childhood workforce has been given notice that from 2002 new workers must be trained and all workers must be trained by 2005. This seems a reasonable lead in time of 4/5 years for those already working in the sector to meet the requirements. We would like a similar arrangement for social workers to meet requirements for registration. The boundaries are blurred as to who may come under the name 'social worker'. There are unpaid or minimally paid volunteers who offer practical assistance, workers in the



voluntary sector, counsellors, advocates and supporters for various community groups. A large number of our members expressed the view that there needs to be a definition as to who qualifies as a social worker written into the Bill.

- **Training:** A large majority of respondents considered that all social workers should have adequate training meeting NZQA standards. This cannot happen if there is not mandatory registration. However NCZNZ recognizes that skilled social workers of long experience are entitled to have this experience recognised. Professional development must be on going. We ask how the status of the profession can be enhanced if large numbers continue to be untrained and endorse the thrust of this Bill which seeks to ameliorate this situation. We include the Epilepsy Association model for ongoing training in epilepsy care.
- **Resourcing:** We applaud the functions of the board that include promoting the benefits of registration and encouraging high standards of practice. If this is to happen there must be adequate resources made available. NCW NZ notes the recently announced salary increases for government workers. Our members working in the sector expect this will benefit the qualified but may be of little or no benefit to those who are unqualified. Members repeatedly gave instances of service shortcomings in CYFS Health, Mental Health and Justice, arising from unreasonably heavy case loads leading to an inability to provide follow ups or timely attention to cases. We would expect that there be a role for the National Association of Social Workers in supporting workers, promoting the profession and enhancing standards. We note they operate in partnership with the Tangata whenua.
- **Treaty of Waitangi:** We note the lack of reference to the Treaty of Waitangi and believe this should be rectified by express inclusion.

COMMENTS ON SPECIFIC CLAUSES

PART ONE

Preliminary

3 (a) Purpose

While applauding the purpose of the Bill to protect the public by intending that social workers are competent to practise and accountable for the way they practise, we note that to fully protect the safety of the public mandatory registration is required. Providing for mechanisms to ensure some (even most) workers fulfil these conditions is insufficient.

PART TWO

Registration and Practising Certificates

7 (a) Entitlement to registration of overseas qualified social workers

Where a person has an overseas qualification equivalent to a New Zealand qualification we would stress that this must be subject to rigorous scrutiny by the Board. There have been instances of medical and other qualifications that have later been shown to be bogus. There must be a system in place for checking overseas qualifications prior to employment.

(c) Training to show competency to work with different ethnic groups in New Zealand is essential. We stress the need for persons to have an intercultural understanding of New Zealand society.



(d) There is strong reservation expressed by NCWNZ members that applicants for registration be able to speak and write and understand English reasonably effectively. There must be a level of competence across ethnic groups. Because a social worker must converse on different levels, often extremely personal, she/he must be comfortable with colloquial usage. A formal knowledge of English is not enough. NCWNZ requests that the word 'reasonably' be removed.

10 (2) Provisional registration

We suggest the interaction of section 14(2) with 10(2)(a) needs clarification as its broad time-frame seems at odds with 10(2)(b). NCWNZ considers that six years provisional registration is too long. It is not unreasonable to expect a current social worker to meet requirements for full registration in four years. The Council supports the 2 year duration required under section 10(2)(b) in any other case.

13 Criteria

NCWNZ is concerned about the provision to relax educational requirements for full registration in certain cases. Our members recognise the importance of practical experience which may infrequently compensate for the lack of a formal qualification, but this must be coupled with undertaking some form of training. NCWNZ members repeatedly stressed the importance of ongoing professional development in maintaining standards. As in other occupations, social work is changing and developing. A practitioner must keep up to date.

One of our associated groups, Epilepsy New Zealand, models the following regime.

Within 3 months of appointment as an Epilepsy field officer

- 11 correspondence modules completed
- mentor support from National Resource Officer
- supervision 1 hour per fortnight for full-time field officer or 1 hour per month for part-time ongoing as part of Employment contract

Within first 18 months of appointment, NZQA certificate in Epilepsy Care completed

- 60 hours paid study leave over and above working hours allowed for certificate completion

Annual National Field Officer Training Seminar attended annually

On completion of certificate

- NZQA Diploma in Epilepsy Care

14 (c) (ii) Criteria for provisional registration

We would expect that there would be very few situations when an applicant who has previously held provisional registration has not made satisfactory progress toward meeting all the criteria in section 6 to 7. We urge that this subsection be used with caution.

15 (b) Criteria for temporary registration

We refer to NCWNZ's comment made under section 7(d) that social workers be able to speak, write and understand English well. This should apply to temporary registration also. We would expect that temporary registered social workers would practice under supervision for their own protection and the safety of their clients.

24(b) Maximum period for limited registration

We consider the wording of the section "2 or more periods of more than 6 years in total" is confusing and not consistent with the spirit of the Bill, which is to tighten the timeframe for provisional registration



PART 3

Competence and fitness

38 (c) Reviews of competence to practice social work

The Board is required to review competence to practise no later than five years after such competence was last found satisfactory. One branch and some members responded that assessment should be every 2/3 years. NCWNZ accepts five yearly assessment but presumes that continual quality improvement would be happening in any organization of value, with ongoing monitoring and provision for training. NCWNZ stresses the need for workers to be under the guidance of a supervisor or in a cluster/team situation for support and ongoing professional development.

41(1)(2)(4) Competence assessments We note that the Board “may “set programmes to help it decide about applicants’ suitability for practising certificates. The use of the word “may” does not require that the Board do so. NCWNZ considers it to be an essential requirement that assessments for competency be undertaken. We accept that such assessment may be set and carried out by various persons or bodies. We would expect that the Board’s responsibility to ensure that a social worker meets competency standards should be spelled out. Competency is presently assessed for members of the New Zealand Association of Social Workers on a five yearly basis. We understand that this gives a worker the chance to progress to study and to grow while securing their place in the work environment.

49 Notification of conditions affecting ability to practise social work

“Whistleblowing” must always be supported by clear evidence lodged with the Registrar and must be carried out in good faith. We note with concern that this section could be open to abuse. There is a fine line between protecting the social worker and protecting the public.

53 (1) Power to order medical examination

It is not acceptable from a public health and safety perspective that only registered social workers be required to submit to examinations if there is concern about their ability to perform functions satisfactorily. Are we to presume that unregistered social workers unable to perform functions satisfactorily just continue to practise? Members of our employment standing committee also consider that if a social worker is being examined about unfitness to practise it would be important to have a registered social worker involved in any such determination.

54 (2) Conduct and consequences of examination

The social worker should be given the opportunity to have a support person attend the examination if they so wish.

PART 4

Discipline

NCWNZ welcomes the establishment of a Complaints Tribunal with clearly defined powers and processes which is open to any person to make a complaint.

57 Complaints against registered social workers

We note that complaints may be made against a registered social worker only. NCWNZ considers that the public is entitled to know the procedure for a complaint against an unregistered social worker. We consider this an area of concern.



64 Complaints assessment committees

NCWNZ suggests that at least one of the registered social workers be recommended by the NZASW.

69(3)(a)(ii), (b)(ii) Determination of complaint by complaints assessment committee

NCWNZ considers that in both instances a social worker or a complainant should have the opportunity for a support person to be present when making a statement in relation to the event. We support all procedures which promote natural justice and the right to be heard for both complainant and social worker so that all relevant information be considered.

81 Penalties

We support the need for accountability but members have grave concerns that the Board's powers to make any or all of the orders could be viewed as draconian.

PART 6

Social Workers Registration Board and Social Workers Complaints and Disciplinary Tribunal

97(1) Functions of Board

We note this function of the Board to promote high standards and practice especially in the absence of mandatory registration.

98(c) Maori and Pacific people

We strongly support the employment of Maori and Pacific people as a priority for the Board. Southland members note that there are 3 Maori social workers in the local CYFS office in a work force of 40.

99 Mechanisms for obtaining views of Maori and Pacific people

We support the need for the Board to put in place mechanisms to ensure Maori and Pacific people are accessible to the Board. This is in addition to Maori and Pacific People being appointed as members of the Board.

103(1)(2) Code of conduct

NCWNZ suggests that the code of conduct be written in conjunction with social workers (probably through the NZASW who we understand have developed a code of ethics and practice) and employers of social workers. This process is needed if there is to be general buy-in to the code by social workers.

105(d) Annual report

We would be interested to know the benefits Board members, committee members and employees would be likely to receive on termination.

SCHEDULE 1

2 Criteria for appointment

The success of the Registration proposals and the promotion and enhancement of social work as a profession of competence and accountability in New Zealand will depend on the calibre of the chair



and members of the Board. It is really important that they be persons of integrity and competence and include persons with recent experience in and knowledge of the sector.

2(b)(1) As the professional body that represents, promotes and assesses the competence of social workers it seems sensible that there should be provision made here to include a nominee of the NZASW on the Board.

3(h) Restrictions on people who may be members

We note the restrictions on people who may be members, but we do not have knowledge of a person who is not a 'natural person'

CONCLUSION

We reiterate the need for registered social workers who are trained and competent to practise. We quote from the 1971 NCWNZ submission on the Department of Social Welfare Bill. "We are concerned that those in need of assistance should have ready access to social workers who are adequately trained and have sufficient time to consider the person as well as the problem."

Thank you for the opportunity to comment on this important Bill.

Barbara Glenie
National President

Marian Redwood
Convener, Employment Standing Committee