



**Registering Social Workers in SA
SACOSS Presentation to a Joint Committee of the SA Parliament**

January 2019

The *Social Workers Registration Bill 2018* was introduced to the SA Parliament on the 5th of September 2018. If enacted the legislation will make provision for the registration of social workers in South Australia and would establish a Social Work Registration Board.

On the 30th of January, the South Australian Council of Social Service (SACOSS) was asked to appear before a Joint Committee of the SA Parliament on the Bill. Our presentation was based on discussions we had with key stakeholders, including the Australian Association of Social Workers (AASW), and a survey of our organisational members. The following is a summary of the key issues we raised with the Joint Committee.

Background

We at SACOSS believe the work of social workers is invaluable, and that good quality and accredited tertiary training, and ongoing professional development, are critical. Social workers commonly work directly with the most disadvantaged people in our communities. Their primary function is to work with people to improve their life circumstances and prospects.

We recognise one of the drivers for social work registration and a legislative response, such as the Bill being considered by the Joint Committee, emerges almost as a silver bullet in response to systemic failures in our protection of vulnerable children and adults in our systems of care. There have been some instances where social work qualifications have been assumed and/or wrongly attributed to workers, in examples of appalling practise.

We see that there are calls for social work registration for two main reasons:

1. protection of the vulnerable public, and
2. protection of professional identity.

The Australian Council of Social Service (ACOSS) and our other state counterparts have no formal policy of the issue of social work registration. But, having reviewed the Bill put forward by the Hon. Tammy Franks, as one possible template for how social work registration might be approached, we at SACOSS hold the position that social work registration, if done well, might help lift practice standards among the profession, preventing the potential harms caused by poor and ineffective practice. However, we are cautious and we have some concerns.

State based scheme of registration

If a scheme was to be introduced, our preference would be that social workers should be registered by the Australian Health Practitioner Regulation Agency (AHPRA), like other health related registered professionals (e.g. Psychologists). SA currently participates in a national scheme empowering the AHPRA to regulate a number of professions, but not social work.

Participation in a national scheme would ensure consistency of standards and qualifications, and would avoid unscrupulous social workers from moving between jurisdictions in order to evade disciplinary consequences and/ or to continue practising. A national scheme would likely be more efficient than creating parallel state-based schemes for a single profession minimising the cost of registration to participants which was an issue raised in our survey and discussions with key stakeholders.

We know that AASW (and others) have continued to push to be included in AHPRA, but in the absence of any progress have sought to move forward on a state by state basis in this instance with the assistance of the Greens Party. The SA parliament is the first state to consider this option.

Key concerns:

Who would be subject to registration and what is a social worker?

Many people who hold a social work qualification and who are working in social/human services fields do not have the job title “social worker”. However the Bill as currently drafted would only subject a person to registration if they held the title. We would like to avoid this being an issue of title because we think this would create a system that would only apply to a very small subset of workers.

For NGOs in the health and community services sector, the vast majority of workers who hold a bachelor or master’s degree in social work, have roles with job titles other than ‘social worker’, despite social work practise being a highly relevant and useful skills for the job . These positions are often open to people with other relevant qualifications and experience.

Our survey of members (summary attached) found that 80% of organisations employed workers who had a bachelor or master’s degree in social work, but under 30% had roles with the specific title ‘social worker’. For those organisations that do have roles with the title of “social worker”, 35% would employ someone with qualifications or experience other than a bachelor or masters of SW degree.

If we were to only subject the people whose roles are explicitly titled ‘social worker’ to registration, for the NGO sector, this would be a tiny percentage of the workforce, many of whom perform duties that resemble social work. But if we think about the skills or duties, rather than the title, we are left with a question that we are unable to answer, that is, what are the types of work that a registered social workers should/would be able to do, that an unregistered social service worker with another qualification should or could not do? If we cannot answer this question, it is difficult to understand the pressing need to register social workers and not other professions, who also work with disadvantaged people, such as youth workers, disability workers etc.

We have also observed a shift in a number of roles traditionally taken up by qualified social worker e.g. in child protection, where these roles have been opened up to people holding other qualifications. A significant example of this was a recent Department of Child Protection policy change with regard to the qualifications accepted for frontline workers. In response to a recommendation from the Royal Commission into Child Protection Systems the department moved away from employing mainly social workers in these roles to encouraging a range of allied disciplines to take up these positions. This potentially creates a tension as to whether there will be people working alongside one another with the same job title and the same duties; some subject to registration and others not.

How do we currently protect the vulnerable public?

In terms of managing complaints and compliance with standards and codes, as unregistered health practitioners, the ***Health and Community Services Complaints Commissioner*** may already have coverage of many (if not all) social workers. These workers are subject to the Code of Conduct for Unregistered Health Practitioners, this code specifies that practitioners do not, for example, financially exploit clients, engage in sexual or improper relationships, and precludes practitioners from practising if they are impaired or otherwise not fit. There are penalties for not abiding by this code of conduct or for not following the direction of the Commissioner. Social workers who work in positions directly with vulnerable people are also subject to screening processes and other laws that are designed to protect vulnerable people.

Will registration improve the standard of practice among social workers?

Registration may help improve standards depending on what professional development and supervision is required. However there are other factors that are equally if not more important and that contribute to the ability of social workers to have a high standards of practise.

Some responsibility for this should always be held by the employer (whether NGO or on government), specifically relating to the context within which they are being employed. Further, training institutions and accrediting associations also have a responsibility to ensure a good standard of qualification is achieved. There is evidence relating to failures in these both these areas if we look at the reports from the Royal Commission into Child Protection Systems and the Coroner's report into the death of Chloe Valentine.

Firstly, the [Royal Commission into Child Protection Systems](#) references the need for significant investment in the child protection workforce with better professional development and training (and recommends much of this should take place within the department responsible, for example in the case of solutions based casework). This Royal Commission did not recommend registration of social workers as a way of increasing standards in the child protection workforce but, as mentioned previously, recommended the use of staff with other qualifications.

Secondly, the [coroner's report](#) relating to the death of Chloe Valentine also made recommendations about improving the training of child protection staff (many of which are social workers), for example, in note – taking and recording facts and opinions distinctly. The coroner's report did recommend the registration of social workers. This recommendation was made on the basis of Professor Frida Briggs' evidence, which suggested the need for social workers to be registered by a national scheme. Professor Briggs' evidence also submits that the courses accredited by the AASW are inadequate preparation for work in the field of child protection.

Conclusion

SACOSS has mixed feelings about the merits of proceeding to enact a state based registration process for people whose roles are titled social worker as is imagined by the *Social Workers Registration Bill 2018*.

It would be regrettable if we were to proceed with social work registration and if it resulted in even fewer social work titled roles, and/or in organisations not taking responsibility to ensure that their staff are prepared and well supported to undertake the work they're charged with.

We believe there may also be a potential overlap or duplication of existing protections and wonder how much additional benefit registration will provide. We can only see the scheme of registration adding value where high quality ongoing professional development and supervision is required and where there is more clarity about the types of work require a registered social worker rather than an unregistered social worker or allied human service professional.

If legislation is to proceed, it must be able to demonstrate that it will go beyond simply imposing added regulatory burden and red tape, and should drive towards high professional standards and better services for those in need.

SACOSS Membership Survey Results Summary

Twenty-nine health and community service NGOs completed the short survey. The following is a summary of their survey responses.

Does your organisation employ a worker or workers with a degree in social work?

Yes 79%, No 21%

Does your organization have roles specifically titled "social worker"?

Yes 27%, No 73%

If answering yes to the above question, in your organisation, is it possible for someone with the job title of social worker to hold a qualification other than a bachelor or masters of social work?

Yes 33%, No 67%

In your organisation could someone with a qualification in social work be employed in a role with a title other than "social worker"?

Yes 90%, No 10%

Do you think a person working as a social worker should be registered (like psychologists and medical doctors for example)?

Yes 81%, No 19%

If "Yes" to the above question, can you tell us why you think social workers should be registered?

- Clarify and standardize the qualification/s needed to use the social work title
- Increase practice standards, credibility and respect
- Provide protection to the vulnerable public from malpractice or malevolence

If "No", Can you tell us why you think social workers should not be registered?

- Added cost and red tape with questionable benefits
- Ambiguity as to what constitutes social work practice