



Social Workers Registration Legislation Amendment Bill

246—1

Report of the Social Services and Community
Committee

August 2023

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Angie Warren-Clark
Chairperson

Social Workers Registration Legislation Amendment Bill

Recommendation

The Social Services and Community Committee has examined the Social Workers Registration Legislation Amendment Bill and recommends that the bill be passed.

About the bill

The Social Workers Registration Act 2003 established occupational regulations to ensure that social workers are fit to practise and accountable. These regulations are intended to protect the safety of members of the public, as well as to enhance the integrity and professionalism of the social work profession. The Act also established the Social Workers Registration Board (SWRB) as an oversight body that manages the registration of social workers.

In February 2021, registration with the SWRB became mandatory. To be eligible for registration, applicants must hold a recognised social work qualification. Section 13 of the Act states that, in certain cases, the SWRB may recognise practical experience in lieu of a recognised qualification when registering social workers. We heard from advisers that this pathway (known as the experience pathway) was intended as a temporary measure.

Following changes made by the Social Workers Registration Legislation Act 2019, section 13 of the principal Act is set to be repealed on 28 February 2024. It will remove the experience pathway as an option for registration as a social worker. From that date, the only pathway to registration would be by holding a recognised social work qualification.

This bill would amend the Social Workers Registration Legislation Act 2019 to delay the repeal of the experience pathway by four years, from 28 February 2024 to 28 February 2028.

Legislative scrutiny

As part of our consideration of the bill, we have examined its consistency with principles of legislative quality. We have no issues regarding the legislation's design to bring to the attention of the House.

Benefits of delaying the repeal of the experience pathway

A number of submitters expressed support for the proposal to delay repeal of the experience pathway. Submitters told us that delaying the repeal and retaining the experience pathway for four more years would, among other things:

- recognise the importance of real-world experience and having a range of pathways into the social work profession

- acknowledge that qualifications are not the only way to demonstrate competence as a social worker
- recognise Whānau Ora practitioners as equal to those with mainstream qualifications
- help to fill current workforce demand
- allow for greater diversity in the profession
- allow more time to explore other options for social worker registration
- allow time for the extension to the pay equity settlement for social work to take effect, which would in turn incentivise more people to seek registration.¹

We note that a number of submitters support the delay because they are in favour of retaining the experience pathway. Although it would eventually be repealed under the bill, submitters consider that the delay would lead to an increase in the amount of social workers becoming registered in the meantime. We agree with these views and note the various benefits offered by the extension of time.

Opposition to the repeal

Some submitters argued against the proposal to delay the repeal of section 13. They suggested that those with a recognised social work qualification and formal training are better placed to practise social work, as they were proven to have the appropriate skills required. Some submitters said that those who do not hold a qualification may undermine the integrity of the social work profession.

We acknowledge these submitters' concerns and note that, while the bill would delay the repeal of the experience pathway, it would eventually expire. The additional time would allow the SWRB to review pathways into the social work sector in New Zealand, in order to strengthen its registration processes. We believe that the eventual repeal of the experience pathway would allow the sector greater assurance about the quality of practising social workers in the long term.

Conclusion

We appreciate the important work being done throughout New Zealand in the social work sector. We wish to thank submitters for sharing their own social work experiences during our consideration of this bill.

ACT Party differing view

The ACT Party opposes this bill as it stands. As we have heard from some submitters to the committee, extending the time period in which to register as a social worker without holding an appropriate qualification risks undermining the wider profession. Social work is an essential practice which deals with some of New Zealand's most vulnerable people, including young people and those with high needs.

¹ For more information on the extension of the social worker pay equity settlement, see [Extension of pay equity settlement | Te Kawa Mataaho—Public Service Commission](#).

We have seen all too often how poor practice harms those whom social work is supposed to help. By ensuring that all social workers have a recognised social work qualification, we strengthen the accountability within the sector. This was the intended purpose of the original Social Workers Registration Act 2003. There has been more than adequate time for people to register through the experience pathway since the passing of the Act, and we should not further extend the timeframe by passing this bill.

National Party differing view

The intent of mandatory registration of social workers is to ensure the safety of the public, and this remains paramount.

The experience pathway has been available since 2004, and it has been well signalled that it would end in 2024. There have been 20 years for those without academic qualifications to use the experience pathway to become registered. It is a valuable pathway, but was intended to be temporary and to give those with substantial experience a pathway to registration. Of the 4,423 social workers who have become registered since 2019, only 82 have used the experience pathway.

The National Party accepts that there may be workforce challenges, but public safety should remain paramount. Standards should not be lowered to fill workforce needs.

We believe that further work is required to look at the barriers to entry for social work training, why some who complete qualifications do not become registered, and whether further assistance is required to support those studying to become social workers.

Like the Aotearoa New Zealand Association of Social Workers, we would agree with a two year extension, but not a four year extension.

Appendix

Committee procedure

The Social Workers Registration Legislation Amendment Bill was referred to the committee on 9 May 2023. The closing date for submissions was 7 June 2023. We received and considered submissions from 25 interested groups and individuals. We heard oral evidence from 3 submitters at hearings in Wellington and via videoconference.

We received advice on the bill from the Ministry of Social Development and the Social Workers Registration Board. The Office of the Clerk provided advice on the bill's legislative quality.

Committee members

Angie Warren-Clark (Chairperson)
Karen Chhour
Dr Liz Craig
Dr Emily Henderson
Anahila Kanongata'a
Ricardo Menéndez March
Terisa Ngobi
Maureen Pugh
Hon Louise Upston

Soraya Peke-Mason and Vanushi Walters participated in some of our consideration of this bill.

Advice and evidence received

The documents that we received as advice and evidence are available on the Parliament website, www.parliament.nz.