

Health and Disability Commission
Email: review@hdc.org.nz



Social Workers Registration Board submission on review of Health and Disability Commissioner Act 1994

Tēnā koe,

Thank you for the opportunity to provide a submission on the review of the Health and Disability Commissioner Act (HDCA) 1994. While social workers do not come under the HDCA, as we will outline, social workers play a key and significant role in the health system in New Zealand.

The Social Workers Registration Board (SWRB) is New Zealand's occupational regulator of the social work profession, established under the Social Workers Registration Act 2003 (SWRA). 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.

We protect the safety of the public by ensuring social workers are competent and accountable
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 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 annual practising certificates
- publishing a Scope of Practice, Code of Conduct, and core competencies
- managing concerns, complaints, and notifications
- prescribing standards in social work education.

Role of social workers in the health system

While social workers are not currently covered by the HDC Act, they do play an important role in the health system. Until recently there has been a lack of visibility of the social work workforce in health. There has tended to be a definition of the health workforce as it relates to the Health Practitioners Competence Assurance Act (HPCA), or those who are included in the health practitioners' index. This has excluded all social workers within health who operate under separate legislation (SWR Act) and has led to a differentiation in status, access to professional development, planning and investment.

Our data shows around 20 percent of social workers in Aotearoa are currently employed in health organisations. . Alongside this, our database indicates over 1600 registered social workers are

employed by Te Whatu Ora/Health New Zealand. Within Te Whatu Ora social work is the largest allied health workforce – alongside many more working social workers working in Health contracted community-based organisations.

Social work is a diverse profession working in across the health and social service system: including primary and tertiary health care. Across all of these sectors, social work has always maintained a strong psychosocial approach to working with individuals, families, groups and communities. By working within the framework of the determinants of health, social workers make the necessary links between the physical, social, emotional, cultural and economic impacts of health. The social work profession has a history of interdisciplinary collaboration and a commitment to the importance of early intervention, prevention and health promotion.

We believe the scope of this review is too narrow

We appreciate that under the Public Service Act (Section 12), Crown Agents have a role in system stewardship, which doesn't extend to the Commission as an Independent Crown Entity. However, we believe it would be advantageous for the Commission to consider the wider system when thinking of any changes to the HDCA. In the documents provided SWRB believes the review of the HDCA is quite narrow, and we believe there is a missed opportunity to take a wider system view to account for other professions and people that are an invisible yet integral part of the health system (social sector, child protection, education etc). Taking a stewardship role will better reflect the complexities and take a more people centred approach to the health system,

Ability to get insights in a timely manner

We understand that there is often a time lag between investigations and the outcomes from these investigations which limits the ability to learn and gain insights in a timely manner, in particular when those involved may be social workers when SWRB is not notified. We would support any ways to recognise trends and patterns across investigations (while recognising the need for natural justice for individuals). This would help inform a continuous and responsive approach across the system.

SWRB is starting work to review the Social Workers Registration Act

Section 104 of the SWRA requires the Board to review the Act no later than five years after it was last reviewed, consider whether any amendments are necessary and report its findings to the Minister for Social Development and Employment. The 2025 review will likely focus on a number of matters related to the introduction of Mandatory registration of social workers that came into force in 2021. We would welcome the opportunity for your review team to contact our review team to look at any commonalities to ensure a better system led approach. We would be happy for the team to contact Blair McCarthy, Director of Strategy [REDACTED]

Finally, we note that the Royal Commission of Inquiry into Abuse in State Care has recommended a Ministry for Care. We would see the Commission playing a key role in any moves in this area.

Thank you again for the opportunity to contribute to this review and we would be happy to be contacted should you have any further questions.

Nga mihi,

Sarah Clark
Chief Executive – Social Workers Registration Board
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