



# THE WEST AUSTRALIAN SOCIAL WORKER

## President's Report

Lots of things have been happening since my last president's report. In November, the Annual General Meeting of the Association was held in Canberra as well as the National Board meeting. I'd like to focus on some very significant things that occurred at these two functions.

### Code of Ethics

The revised Code of Ethics was endorsed at the AGM. This very important document reflects an enormous amount of work on behalf of the National Ethics Committee and the Association. I believe the new Code is an excellent document that will serve our clients and our profession well. Copies of the new Code of Ethics will be available in the new year.

### Continuing Professional Education (CPE)

The review of the Association's Continuing Professional Education Policy was completed by the Association's Chief Executive Officer and the National CPE Convenor. Important changes that were endorsed by the Board include extending the CPE cycle to a two year reporting cycle, requiring 150 points for the first two year cycle of July 2000 - June 2002. The second two year cycle will require 200 CPE points. It will now be a requirement that members accrue their CPE in three of the four CPE point categories. Some changes were also made to the point system.

The Association will also now accredit CPE programs and these accredited programs will attract double CPE points. How programs will be accredited hasn't been specified, but we will need to watch to see what impact accreditation will have on Branches.

Logs books must continue to be kept, but instead of submitting them with each cycle, only a declaration will be required at renewal time with the log books only being required if a member is audited.

CPE is a crucial part of ethical and accountable practice. I would urge you to ensure that you engage in CPE and

achieve the Accredited Social Worker status. Fuller details will appear in the February *National Bulletin*.

### Membership Renewals

There has been a significant decrease in membership renewals this year so far. If you haven't already renewed your membership, please do so ASAP!

### National Budget

Because of the decrease in membership renewals, the Board was unable to endorse a national budget. This will be delayed until February to determine if renewals increase.

### Practice Standards Working Party

This working party is seen to be one of the priorities for National this year. The goal is to develop practice standards in a wide range of areas. Virginia Scott, Vice President (Ethics and Professional Practice, WA Branch) is part of the working party. Thanks to Marie Arends and John de Jongh for their earlier contributions in this area.

### National Conference Committee

The next national conference will be held in Melbourne 23 - 26 September 2001. Members of the new National Conference Committee which will oversee the conference has two WA Branch members on it - Brian Wooller and Marian Maughan.

### WA State Conference

While I have spent most of this report focusing on National issues, I want to draw your attention to this year's State Conference. It will be held 5 - 7 September 2000, so mark the date in your diary now!

An exciting innovation this year is that the Branch is hoping to organise as part of the conference, a day to be held

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<http://westausaasw.highway1.com.au/>

in Bunbury. This will be a pilot project to see how the Branch can provide more CPE opportunities to rural and remote members. If the day in Bunbury is a success it is hoped that we can expand to other regional centres like Geraldton or even the Pilbara or the Kimberly! No doubt Rosina Pruiti, the conference convenor and Marian Maughan, the conference project officer will keep you posted on these plans.

### Committee of Management

It is with deep regret that the Committee of Management has accepted the resignation of Marie Arends. Marie's work commitments do not permit her to attend Committee of Management meetings at this time. On behalf of the Committee, I'd like to thank Marie for her energy and commitment to the Association and the Branch. Her smile and positive outlook and hard work will really be missed. Marie's resignation along with Maribelle Thomas' earlier in the year has created two vacancies on the Committee of Management. If you'd like to volunteer, please see the notice in this newsletter for more details.

### Greetings of the Season

In closing, may I take this opportunity to wish you all the best for this holiday season. May you have a joyous and safe holiday and a peaceful and healthy new year for you and your family. My sincere thanks for all the important work you have done both for the profession and for our clients. I look forward to working together in the new millennium!

**DR BARBARA J. MEDDIN**

## NEW MEMBERS

The WA Branch welcomes the following new members:

Stephanie Bolton	Susan Johnston	Gabrielle Payne
Sophia Colless	Alex Katsibardis	Martin Pleasant
Fiona Denman	Megan Lawrence	Kathrene Street
David Easton	Melissa Leung	Vera Szito
Sue Gillieatt	Stephen Lund	Draga Tomic
Lynette Green	Nicole Mitchell	Emma Tyrie
Stephen Hale		

### Want to be a part of the Committee of Management?

The WA Branch currently has two vacancies on the Committee. If you are interested in an opportunity to:

- become more actively involved in the Branch
- make a contribution to the work of the Branch
- provide leadership to Branch direction and goals
- network with other colleagues
- have some fun!

Contact Barbara Meddin, Branch President 9350 7221 or 041 795 9058.

## Association for Psychodynamic Psychotherapy of WA (APPWA)

### 2000 Seminar Series

**Monday 20th March 2000**

*Mental representation of attachment in eating disorders*  
Presenter: Francoise Spanoghe, clinical psychologist

**Monday 17th April 2000**

*Infant sleeplessness: a psychodynamic approach*  
Presenter: Carol Bolton, clinical psychologist

**Monday 15th May 2000**

*Attachment and adolescent drug use*  
Presenter: Lee Goddard-Williams, clinical psychologist

**Monday 19th June 2000**

*Is it 'all in the mind?' A psychodynamic view of some psychosomatic conditions*  
Presenter: Dr Allan Shafer, clinical psychologist

Venue: Seminar Room G202

Social Sciences Building, University of WA.

Inquiries: 08 9336 2937 or email: norwood@iinet.net.au

All seminars 8.00 pm - 9.30 pm.

Cost: \$25 or \$80 for all four.



## Discussion Paper Options for Registration

### Introduction

This discussion paper attempts to briefly outline some issues and options relating to the AASW's application for Registration of the profession of social work by state governments. There have been a number of recent formal reviews of state legislation relating to registration of other professions and health care complaints. Preliminary reading of these shows some suggested options are emerging in relation to ways of dealing with the currently unregistered professions. It is thought the AASW should discuss these and have an agreed 'fallback' position before going into applications and negotiations on social work registration with the Australian Health Ministers Conference and individual state governments. Therefore, after first giving a brief review of AASW efforts to gain registration for the profession, this paper explains these options to assist discussion and decision making.

### Background

The AASW has actively pursued the registration of social workers since 1968. The history of the effort made is well summarised in the earlier AASW Discussion Paper *Self Regulation The Way Forward* (August 1994). Excerpts of this are reproduced here.

*"In the 1980s every state branch co operated in a National effort to achieve this outcome. A national policy was established and each branch negotiated with the respective state government to have legislation introduced. The strategy was state based as there was no mechanism for national registration. In 1985 the Northern Territory introduced the Health Practitioners and Allied Health Professionals Registration Act. Registration for social workers in the Northern Territory was based on their eligibility for membership of the AASW. ... No other State or Territory introduced registration of Social Workers by title.*

*By the late 1980s the federal government was committed to a major reform agenda in the industrial, educational, training and trade areas. The government policy shift was to de regulation and mutual recognition. ... State governments endorsed the restructuring proposals.*

*The Vocational Education, Employment and training Committee (VEETAC) was given specific responsibilities to review partially regulated professions. ... Heads of Government agree in November 1991: that registration of these professions (the partially registered professions) should be removed unless there is overwhelming evidence for retention. It was decided social work did not pose a threat to public health and safety. As a result the Northern Territory legislation was repealed in April 1993."*

The AASW therefore proceeded with self-regulation, but to quote Imelda Dodds from the minutes of the Registration Committee teleconference held February 1998 "the AASW never resiled from its commitment to, nor belief in, registration by title" .... Registration represented and still represents one of the quality assurance strategies of the Association."

### **More Recent Events**

In 1997 the Directors once again committed the Association to pursue Registration. The impetus emerged mainly from NSW where the Psychologists Registration Act was under Review and also on the outcome of the Wood Royal Commission into Paedophilia where it was understood some people calling themselves social workers may have been named and the lack of regulatory mechanisms for counsellors had come under attention. Some progress had also been made in Queensland. The AASW state branches were asked to begin preparation of a case to be co-ordinated across Australia by the Registration Committee with Imelda Dodds as Convenor.

### **NSW Branch's approach to NSW Health Minister**

On 2<sup>nd</sup> October 1997, Jill Davidson, President of the NSW Branch of the AASW, wrote to The Hon. Andrew Refshauge, then Deputy Premier, Minister for Health, and Minister for Aboriginal Affairs, with an attached position paper on registration of social workers. He responded with the information that the Australian Health Minister's Conference (AHMC) had agreed that all new requests for registration of health professional groups in any state, be considered on a national level by the Australian Health Ministers Advisory Council (AHMAC) (made up of CEO's etc. of Health Departments). This principle stemmed from the Commonwealth Mutual Recognition Act 1992, and applied across all Ministerial portfolios.

Dr. Refshauge attached for our information two documents:

- AHMAC Criteria for assessing the need for statutory regulation of unregulated health professions; and
- Council of Australian Governments (COAG) Principles and Guidelines for National Standard Setting and Regulatory Action by Ministerial Councils.

### **The Current Task**

Therefore the task before the AASW now is to prepare an application for registration of social workers according to the criteria and these documents. Research is underway on the required information.

As part of this research other reviews of legislation relating to health professions and other reports on complaints in health provision have been gathered. Out of these emerge some distinctions and issues which the AASW needs to take into its thinking before our final application paper is drafted in order to be prepared for all contingencies.

### **Issues Emerging from Recent Reviews Review of The Psychologists Act 1989 NSW**

This Act is currently being reviewed in NSW. Recent contact with the Registration Board in NSW has indicated the final report is unlikely to be released before the state government election. However, the Issues Paper (December 1996) prepared by Health Department certainly supports the continuation of registration of Psychologists, even after reviewing the arguments in relation to effects on competition. This document provides a good example for the further preparation of the AASW submission.

### **Wood Royal Commission NSW**

This Commission was very concerned about the lack of "sufficient monitoring and screening processes for those working with children or having close contact with them in the course of their official duties" (pp 585) as well as the lack of disciplinary procedures in Department of Community Service and others. The NSW Health Care Complaints Commission was held up as a good process (see below). The term social worker was used in relation to a number of people in the report. One mention is of a social worker who observed a child (who had been sexually abused) being interviewed by a Department of Community Services District Officer. The interview was later found to be biased and leading in a way that prevented prosecution. Other more serious allegations were made against a person called a social worker, who was initially employed by DOCS, then in a position in a hospital. There is no suggestion he was a **qualified** social worker. The issue of recovered memories warranted a whole chapter in the report and it is recommended counsellors adhere to strict guidelines. One inquiry by the Health Care Complaints Commission was terminated on the basis the counsellor was an unregistered health practitioner. "This case confirms the need elsewhere addressed for the registration of all persons purporting to work as health practitioners". (pp 666)

### **Review of Western Australian Health Practitioner Legislation - Discussion Paper Oct 1998**

"The principal aims of the review are to improve protection for health consumers in Western Australia, satisfy the National Competition Policy (NCP) review requirements and provide the

health consumers of Western Australia with effective and, so far as possible, uniform practitioner legislation." (Foreword) Section 7 deals with unregistered health practitioners. It is noted that a 1989 Committee recommended that registration be allowed but left to the individual professions to initiate and argue and although many had made submissions since then, including social workers, only osteopaths had achieved it.

However, also noted is that the Victorian Government is currently suggesting registration of Traditional Chinese Medicine. Overall this Discussion Paper is not negatively disposed to registration of other professions if all the criteria can be satisfied.

### **Review of Occupational Therapists Act SA 1998**

This Act to register Occupational Therapists in SA has recently been reviewed. Information from OT Australia SA Branch is that they had to lobby hard to retain registration, but have now managed to do so. This is one of the professions where registration exists in some states but not others. The Nurses Act is also under review in SA currently.

### **Joint Committee on the Health Care Complaints Commission NSW Final Report**

*"Unregistered Health Practitioners: The Adequacy and Appropriateness of Current Mechanisms for Resolving Complaints."* December 1998. This document goes to the heart of the issues with which our Association is concerned. It considers therapists and psychotherapists "have the potential to cause harm due to a number of factors including the vulnerability of patients and the potential for abuse of the relationship of trust which, in many cases, develops over a long period of time". (pp 21)

The report discusses the limits of self regulation in professions which do not have strong professional associations. The report mentions the Australian Association of Social Workers as an example of one that is strong, but notes the evidence given to it by Jill Davidson that the Association cannot enforce standards with non members or those who resign on investigation.

This report also takes note of that the Victorian Review of Traditional Chinese Medicine recommended registration of that profession. The recommendation of particular relevance to this discussion is "That the Minister examine the feasibility of establishing umbrella legislation to cover unregistered health care practitioners which establishes a generic form of registration, generic compliant and disciplinary mechanisms, a uniform code of conduct, entry criteria agreed among the relevant professions and an Advisory Board to the Minister." (pp 6)

### **Traditional Chinese Medicine in Victoria**

In Victoria, a Ministerial Advisory Committee to Health Minister the Hon Rob Knowles, has reviewed the use of Traditional Chinese Medicine (TCM) and produced two reports; *To wards a Safer Choice* and *Traditional Chinese Medicine: Report on Options for Regulation of Practitioners*.

This has recommended registration of practitioners of TCM and legislation is currently being prepared. This draft legislation will be presented to the AHMAC (CEOs of Health Departments) in Darwin in April 1999.

### **Queensland**

A model of umbrella legislation for 15 **registered** health professions is currently under review by the legislative and Policy branch of the Queensland Department of Health. It will introduce two Bills; the first will provide one disciplinary and Complaints mechanism for all these professions. The second will provide for the establishment of an administrative secretariat. The legislation is said to aim to protect individual title, rather than control what the professions actually do. This model is proposed because umbrella legislation is much easier to amend and the model is pro competition in that it protects title.

*"Unregistered professions will eventually be brought under the umbrella scheme although there is no intention for them to become registered. .... upon a complaint being substantiated, would be ... the power to stop the individual from practising in the particular profession."* (Quoting the NSW Health Care Complaints Report pp 54)

### **Questions for AASW to consider**

In summary there are some hopeful signs that some state governments are worried about the unregistered health professions in relation to:

- the lack of effective disciplinary measures available
- the lack of an effective means by which the public can assess their competence.

Quite a few of the documents mentioned demonstrate that if these sorts of concerns are great enough then National Competition Policy issues can be overcome. However, there seems to be suggestions emerging from NSW, Qld and Western Australia that one generic Act of Parliament might be usefully applied across all professions, or, at least, all currently unregistered professions. It is suggested that this would include:

- registration by title
- generic complaint and disciplinary mechanisms
- a uniform code of conduct
- entry criteria agreed by the profession

A question for AASW before proceeding much further with the written application document is whether to ignore this development and just approach Ministers to make application for legislation to register social workers only OR to decide if this possibility of generic legislation meets the AASW criteria and acknowledge it from the beginning of our application.

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