

Overview of Establishment of Society of Professional Social Workers (Inc) in Western Australia

The Society of Professional Social Workers (Inc) (SPSW) was created in late June 2003 as a consequence of the resignation in June 2003 of the Committee of Management of WA Branch of the Australian Association of Social Workers (AASW).

The reasons for the rationale and perceived advantages for re-establishing a fully State based and conducted organisation, the SPSW, to represent the interests of social workers in Western Australia (WA), as compared to the operation of a national company structure, the AASW, which had operated in WA since 1989, can be gleaned from articles published in 2003 in the August and October 2003 editions of WA Social Work News and in June 2003 edition of The West Australian Social Worker.

The text of these articles and a brief history of the WA Branch was also published and reproduced below.

Article 1: President's Report

Welcome to the first issue of WA Social Work News, the newsletter of the Society of Professional Social Workers (Inc). The Society was established in June 2003 as a legal entity in accordance with West Australian law, as an organisation incorporated under WA's Association Incorporation Act 1987. Many social workers will probably be familiar already with this legislation, as it is widely used to provide the legal framework, rules and principles for the operation of organisations and community based groups involving a diverse range of objects, such as:

- a religious, educational, charitable or benevolent purpose;
- promoting or encouraging literature, science or the arts;
- the purpose of sport, recreation or amusement;
- establishing, carrying on, or improving a community, social or cultural centre, or promoting the interests of a local community;
- for political purposes; or
- any other purpose approved by the Commissioner.

This legal framework was adopted to establish the Society as an incorporated association, as it permits the Society, subject to its rules of association and other provisions of the Act, to have the legal power to operate as a fully accountable body, able to undertake activities such as, being able to legally acquire, hold, deal with, and dispose of any real or personal property, open and operate bank accounts, invest its money in any security in which trust moneys may be invested, borrow money on such terms and conditions as the association thinks fit and enter into any other contract it considers necessary or desirable.

Further information about incorporation can be found at the Department of Consumer and Employment Protection website - <http://www.docep.wa.gov.au>.

The establishment of the Society represents an opportunity for an alternative model to represent the professional interests and aspirations of social workers by the creation of a totally State based and run organisation. It is not the intention of those who have formed the Society to engage in acrimonious and pointless debate about the perceived and demonstrated shortcomings of the operation of the AASW.

Our goal is focussed on what can be achieved in the future, by engaging a membership of committed social workers interested in working together to organise and conduct challenging CPE events, to

advance the goals and visions of the profession of social work, to provide fellowship and mutual support and to engage in debate and speak out about the core social values and principles that produce a fairer society for which the social work profession stands.

It is important to acknowledge that in the short term the Society will be exclusively focussed on creating a viable, active and vibrant organisation which enjoys a broad membership and represents the interests of the profession throughout WA.

However, in the longer term, as the Society believes that the development and advancement of a national identity is vital, it will work to also establish an arrangement for there to be a national federation of social workers in this country.

Such an arrangement would operate through the creation of a legally distinct and separate social work organisation in each jurisdiction (ie the States and Territories), with another legally separate body (for example, the Federation of Australian Social Workers), which would be charged with performing a small number of specific and well defined tasks which could not be otherwise achieved by any of the jurisdiction based associations, such as international relations.

If a Federation is formed in the future it would be funded on a limited basis only as it would have a very small infrastructure. The management of organisational and financial matters, such as maintaining a membership register, undertaking CPE events and conferences would always be the sole responsibility of each respective State and Territory based organisation.

It is understood that there is already interest in a number of the other States about the development of a similar structure and arrangement as has occurred in WA with the establishment of the Society.

As membership of the Society is open to any suitably qualified social worker, anywhere in Australia, it is possible for a social worker in WA to be a member of the Society whilst also remaining a member of the AASW.

Whilst it is possible that some individuals may want to retain membership of both organisations, as there is no legal or organisational relationship between either the AASW or the Society, membership of one organisation does not enable a person to accrue or claim any of the benefits of the other.

In the coming months the Society will build up an active membership so that it can operate as a self supporting and independent organisation.

In the interim, until the first annual general meeting is held (it is anticipated that this will occur in 2004), an interim Committee of Management will manage the affairs of the Society.

Expressions of interests are being sought from social workers who would become members and be interested in supporting interest/consultative groups and working groups/subcommittees to provide a voice to advocate on behalf of the profession in areas such as:

- health;
- mental health;
- aged care;
- registration;
- private practice;
- forensic social work; and
- children and families.

Similarly, expressions of interest are also being sought from social workers who through their membership would be interested in being involved as a member of working group/subcommittee in other areas, including to:

- organise and facilitate continuing professional education activities; and
- develop, review and maintain ethical and professional standards.

I am aware that there are many West Australian social workers who have a wealth of experience gained through practice across a broad range of areas and organisational context.

I would urge you to consider whether you wish to become involved in establishing the Society through your participation as either a member or as a member of one of the working groups/subcommittees that are being established.

Brian Wooller, Interim President

WA Social Work News August 2003

Article 2: President's report

Dear colleagues, as many of you would be aware, the Society of Professional Social Workers (SPSW) was established in Perth in June 2003 as an incorporated organisation in accordance with the provisions of the *Western Australian Associations Incorporation Act 1987*.

The SPSW is actively recruiting members and therefore I am requesting that you consider joining in the near future. Many of the social workers with whom I have spoken strongly support a state based professional organisation.

The SPSW needs to have sufficient members for it to operate on financially sound basis. Thus in the short term the SPSW is reliant largely on members who pay their membership dues on a monthly basis, by direct debit. Therefore, if you intend to become a member it is vital you do so now.

I realise for some of you the idea of competition involving more than one professional association may be novel and unfamiliar. However, I sincerely believe that it is a healthy situation and that the SPSW will come to be the pre eminent body representing the social work profession in WA, with full control of its local resources.

Western Australia has special needs. It is demographically different from other states because of its vast area and distances and its dispersed regional centres with localised services for small communities. A state incorporated association is therefore better placed to understand and respond to local, regional and statewide issues and priorities.

To understand the need for a new organisation to represent the professional interests of social workers in WA we can look to our recent history.

The AASW formed in 1946 by agreement between the then State Branches. It was constituted as a federation with a Federal Council charged with setting policy and also responsible for the management of the AASW's affairs.

Interestingly, the AASW registered as a trade union to protect hospital based social workers in NSW. This was relinquished by plebiscite of members in October 1975.

Until June 1989 the social work profession was represented by the WA Branch of the Australian Association of Social Workers (Inc), which had been incorporated in January 1982 under the then *WA Associations Incorporations Act 1895*.

The legal status as an incorporated body was relinquished when in July 1989 the WA Branch joined the AASW, a company of limited liability by guarantee under the ACT companies' legislation.

The Memorandum of Association requires each member of the AASW to personally pay an amount of up to \$50 if the company becomes insolvent or is wound up. This provision remains applicable today.

Continuing and persistent differences arose over a period of time between the WA Branch and the Canberra based National office of the AASW and the Board culminating in the resignation of all members of the Committee of Management in June 2003. This hard decision was not taken lightly.

The WA Branch Committee of Management tried to negotiate with the Board, however this was futile. The Board's reluctance to allow monies earned by the Branch to be retained, its refusal to continue the distribution of hard copy of The West Australian Social Worker, its insistence that the annual State conference be changed to a biennial event and the continual deficit budgeting of the Board were some of the reasons behind the resignation of the committee.

The conference, newsletter and website were achieved largely by the volunteer effort over many years of the WA members. Maintenance of the high standard of our newsletter and the continuous presentation of an annual state conference for more than 20 consecutive years appeared to have meant little to the AASW Board.

Decreasing annual capitation returns from membership fees back to branches (currently 30%), combined with evidence of a worsening financial position induced the June 2003 resignation. The financial position of the ASSW is currently very poor and there is evidence of unsound management practices. Healthy financial management means good services to members.

I have been President of the former WA Branch of the AASW on three occasions, most recently when I was re elected to remedy financial difficulties in the WA Branch. Assisted by a dedicated committee of management we demonstrated our ability to return the organisation to a sound financial footing.

WA members have a proud and energetic record of contribution to professional issues in WA and nationally. On a real and per capita basis their contribution to national policy was significantly greater than most other states.

A number of long standing members of the WA Branch now believe the social work profession in WA would be better served by a separate organisation based and operated in this State. The SPSW is the result.

In the longer term the SPSW would support the establishment of similarly incorporated bodies in other States and Territories which could have a relationship with one another, through a federated body representing social work interests nationally and internationally.

A national federation of social workers could be established in the future with a clear limited mandate related to those issues that may be better handled nationally. The Directors of SPSW endorse a national structure, but it must be one that allows real autonomy to state branches, which must also operate as separate legal entities.

The SPSW has four categories of membership: life members, fellows, members, and student members.

A fellow is a member who annually completes specified continuing professional education requirements and is entitled to use the designation "FSPSW" after her/his name.

Professional indemnity (PI) insurance is an integral part of membership for all full fee paying members (ie fellows and members).

Membership of the SPSW will be automatically granted upon application to current or recent members of the AASW. Accredited members of AASW are eligible to become fellows of the Society.

AASW members who have already paid their fees for one year will be welcome to become involved in the SPSW activities and working groups for the rest of the current financial year (2003/2004). They will not have voting rights or access to PI insurance until they become a full member.

SPSW fees are significantly lower than the AASW.

The annual membership fee for fellows and members is \$297.00 and for students is \$148.50 (students do not have PI insurance). Fees may be paid annually or by direct debit, at \$29.75 monthly for fellows and members and \$15.00 monthly for students.

Full details about how to join and other materials, such as the membership application form, the WA Social Work News, the constitution and the code of ethics can be found at the SPSW's website.

On behalf of the SPSW Board I urge you to support it through becoming a member. You can contact any member of the SPSW Board for more information and copies of application forms, if you cannot access the website.

Brian Wooller, President

WA Social Work News October 2003

Article 3: Resignation of Committee of Management

Dear Members of the WA Branch

It is with real sorrow that we write to inform you of the unanimous decision of the members of the Committee of Management of the WA Branch of the AASW to resign effective close of business 4 June 2003. The National Director from WA will also resign from the AASW's National Board as a Director. This too is effective close of business 4 June 2003.

These decisions have not been taken lightly and only after many hours of discussion and debate. Foremost in our thoughts has been how we could act in the best interests of our profession and its members in Western Australia, in a way that was effective and ethical.

We hope that our decision to resign will send a powerful message to you as social workers and members of the Branch and that it will result in your joining with other members and Branches to bring about changes in the operational and financial administration of the National Board of the AASW. We, as members of the Committee of Management, consider that this is urgently required.

Without changes in the way the National Board operates and the manner in which it conducts business with the Branches, we believe that the AASW will cease to function effectively.

What we see as a consistent move by the National Board to centralise decision-making will not, in our view, meet Branch members' needs. It is our opinion that centralised decision-making will not result in improved efficiencies, and it is unlikely to advance the best interests of the profession. The following actions and decisions by the National Board have contributed to this action.

Diminished control of Branch funds and consequences

At the last face to face National Board meeting in November, 2002 the WA Branch was required by the National Board, as were all other branches, to place all its moneys centrally. Previously the National Board took a decision that would require Branches to seek permission from the National Board to use funds such as those raised in WA by WA members for services to WA members. This affects such activities of the WA Branch as its Awards for Excellence, Annual State Conference, CPE activities and financial support for rural and remote practitioners.

Attempt to Limit Proper Debate

When on occasions the WA Branch President, who is also the National Director from WA, informed Branch members of decisions taken at the National Board in response to members' direct questions, the National Executive and/or National Board Directors sought to reprimand and/or by implication to 'discipline' the National Director from WA, asserting that decisions of the National Board, however contentiously reached, ought to be presented publicly as consensual or quasi-Cabinet decisions.

As a Director of a company, the National Director from WA is not only charged with acting in the best interests of the members of AASW as she or he in good faith perceives them to be, but is required to answer questions of members, as well as to promote and protect the interests of the profession. The WA Committee of Management believes that members are the lifeblood of the organisation and that the interests of the National Board appear to be over-shadowing the needs of members and Branches.

We feel it is untenable to be continually told that the best interests of the company, nationally overrides the interests of the Branch and local members. We perceive the National Board to be far removed from understanding the needs of its members. The Association began when members organised into Branches as part of a federation. What is in the best interests of members and the Branches should therefore be in the best interests of the Association as a whole. All members experience the AASW locally and that is why Branches are so important.

We understand that the AASW as a company has the absolute right to take the decisions it has taken, but we believe that the Association has lost sight of the actual reason for its existence and has become too corporate and commercial in the way it operates. It is our firm belief that company law does not suit a professional organisation and that the Association would be better served to co-exist under a federation model as it previously did.

Newsletter and Website Control

The National Board is currently seeking to prevent Branches from publishing their own hard copy newsletter. It has also attempted to discourage the WA Branch creating and maintaining its own website. Both WA's newsletter and website are of extremely high quality. The newsletter is a vital medium for informing members about the local area in which they are employed and where they practise their social work. The Branch newsletter contributes to an essential function of affirming social workers' sense of professional identity and belonging to the profession in their day to day experience. The Branch newsletter is produced regularly and on time, generates revenue for the Branch, and keeps members up to date on issues and happenings in Western Australia. It is not in the interests of WA members to abandon this medium especially as not all members can access the newsletter electronically.

Financial Management

The Committee of Management as well as the WA Director has had on going concerns about the financial management of the AASW. The way the National Board manages its finances has resulted in unanticipated deficits for at least six of the last seven financial years. It is our perception that this is unacceptable and it is also our belief that the National Board has not instituted the action or taken the steps that are actually needed to prevent these unanticipated deficits from recurring in the future. The National Director from WA has repeatedly raised these concerns at National Board Meetings in response to her own on-going concerns and direct requests from local members.

Financial Health of the Association

At the last National AGM (November, 2002) the WA Branch requested an opinion from the Association's auditors as to whether the Association was solvent and what the consequences would be for the Association should it continue to manage its finances as it currently does.

The reply of the Association's auditors to these questions concerning the "financial health" of the AASW seems to us to identify issues about the financial stability of the AASW. Our concerns have not been allayed with the letter from the auditors in their letter dated 20 March 2003 where they spelt out some warnings:

"The company (meaning the AASW) should set the budgeted net surplus ratio each year and monitor variations in year to date results. Ongoing deficits must be managed carefully to avoid moving into financial difficulties."

The letter goes on to say

"There has been a trend towards diminishing reserves from 1998 to 2002. At the end of 2002, only 1.6 months of average expenditure could have been funded by available reserves (assuming no other income sources)."

National/Branch Money Allotment

The changes to the way in which money is now divided up between National programs and the Association's Branches has resulted in more funds being retained and spent at the National level than previously.

Lack of Consultation

The WA Committee of Management considers that the Association demonstrates a lack of respect for the Branches. One instance, which clearly illustrated this, was the National Board's handling of its consultation process around the Green Paper on managing the Association's finances. You would recall that the WA Branch held a general meeting concerning that paper because of the high level of concern expressed by our members on the matter.

Lack of Communication

Communication with National is poor and quite often several requests to National are required before queries are replied to.

These concerns and the National Executive's and the Board's response to them have resulted in what we, as the Committee of Management, believe to be the marginalisation of the WA Branch and its Committee of Management. This can only disadvantage the WA Members of the Association.

The Committee of Management has striven hard to provide quality services to the members of the WA Branch and to the Association. It has acted professionally despite problems in the working relationship between the National office and the WA Branch. The Committee of Management and Branch members have actively supported the Association by providing representation and assistance to many National Committees and Working Parties some of which are as follows:

Anne Pickard – Convenor of the National CPE teleconference meetings, Member, National Education Committee

Anthony Collier – Member, National Mental Health Committee

Barbara Meddin - author of the AASW's CPE Policy, previous Chair of the National CPE Committee, previous Chair of the National Competencies Project, former National Vice President, Registration Chair of the 1987 National Conference held in Perth.

Brian Dodds – Member, National Registration Working Party and National, Member, International Social Work National Committee

Brian Wooller - National Treasurer, National Director from WA, Life Member, Member of the 2001 National Conference Committee

Chris Coopes – Member, National Social Policy Committee

Francis Lynch –Member of the Program Committee of the 2001 National Conference

Joe Calleja - National Treasurer, National Vice President, Author of Self Regulation -the Way Forward, Chair of the Association's 50th Anniversary Committee
Maria Harries - Co Convenor, National Mental Health Competencies Project
Marian Maughan - Member of the 2001 National Conference Committee, Convenor of the 1987 National Conference held in Perth
Mary Joyce – Member, first National CPE Committee
Michelle Speed – Member, National Mental Health Committee
Penelope Mogridge – AASW Representative to the Health Minister's Aged Care Advisory Committee
Rob McPherson – Member, National Aged Care Committee
Roma Lewi - Life Member
Sue Jordan – Member, National Casemix Committee
Virginia Scott – Member, National Practice Standards

It was acknowledged at the last face to face National Board meeting held last November that the WA Branch leads in a range of areas. The Board noted the Branch's activities and the quality of its work. It was indicated that the WA Branch serves as a benchmark for other Branches especially in relation to recruitment of members, the organisation of annual state conferences, CPE, and sponsorship activities. A flier enclosed with this newsletter gives details of a meeting to be held to give members of the WA Branch the opportunity to meet with those of us who were your Committee of Management and with your now former National Director for WA to discuss these matters face to face and answer any questions.

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Signed

Dr. Barbara J. Meddin, Branch President and WA National Director,
Chris Coopes, Vice President for Social Policy
Anne Pickard, Vice President for Education
Brian Dodds, Vice President for Ethics and Professional Practice
Norma Welsh, Vice President for Finance
Committee of Management Members
Marie Arends
Jennifer Hannan
Roma Lewi
Dawn Mielens
Tracey Nicolson
Mary Joyce
Rosina Pruiti
Richard Wilkins

The West Australian Social Worker - June 2003

Article 4: A Brief History of WA Branch and the AASW

The AASW was formed in 1946 by agreement between its State Branches and was constituted as a federation with the Federal Council having the role of setting policy. The Federal Executive Council was responsible for the management of the AASW's affairs. The AASW registered as a trade union to protect hospital based social workers in NSW. However, this registration was relinquished in October 1975

Western Australian social workers belonged to the WA Branch, which on 19 January 1982 became the WA Branch of Social Workers (Inc), a legally constituted body incorporated under the Western Australian *Associations Incorporations Act 1895*. This legal status was relinquished when the WA Branch joined the Australian Association of Social Workers as a foreign company on 30 June 1989. (The company had been established as a company of limited liability by guarantee under the ACT companies legislation. Under the company's Memorandum of Association each member is liable to personally pay an amount of up to \$50 if the company becomes insolvent or is wound up.)

Since the merger of the WA Branch into the national body in 1989, the term 'WA Branch' has continued to be used because of its historical origin, perhaps without a full realisation by the membership of the significance of the change in legal and administrative relationships.

The structure of the organisation evolved into the national executive of nationally elected directors with the branches represented by their presidents as branch directors. At no stage was there any intent to remove branch autonomy in terms of branch activity or management of branch finances. There were debates surrounding perceived allegiances of branch directors with the emphasis finally being that of branch directors owning their primary responsibility to the "Company".

The branches make up the basic constituent of the Association. Members are allocated to branches as their primary location within the Association.

The constitution of the Australian Association of Social Workers (August 1999) in clause 187 makes provision for the Board (all Directors) to exercise its discretion in making of by-laws. In applying this discretion to branch by-laws Clause 187 (h) specifies that this must be "in consultation" with branches. The branch by-laws specify the requirements for the proper management of branch affairs, including finances and to reflect the relationship of branches to the national association.

Branches are a clear and distinct element and have constitutional autonomy made clear in the Branch Committee of Management Bylaws adopted by the Board of Directors in June 2000. In reality the 'WA Branch' has a status akin to a subcommittee, merely a part of the national company, the Australian Association of Social Workers, a company of limited liability by guarantee. Whilst the spirit of the merger of the old WA Branch (Inc) was intended to be identical to that of the previous arrangement, which operated as a federation of Branches up until June 1989, in fact this has not been the case.

The West Australian Social Worker - June 2003