



BC ASSOCIATION *of*
SOCIAL WORKERS

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Ministry of Children and Family Development
Social Work Oversight Engagement
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Dear Consultation Group,

Re: Consultation on Social Work Oversight

Thank you for the opportunity to comment on the Ministry of Children and Family Development’s consultation on social work oversight.

Our goal, in contributing to this consultation, is to have the Minister of Children and Family Development remove all exemptions listed in Social Worker Regulation, require all social workers to register with the BC College of Social Workers, and to fully protect the title “social worker”.

Who We Are:

The BC Association of Social Workers was incorporated in 1956 and is a voluntary, not-for-profit membership association that supports and promotes the profession of social work, advocates for social justice, and provides a wide range of services to our members. BCASW currently has nine branches and members in every region of the province. Our members work in many different and overlapping sectors, including child welfare. The greatest number of members work in healthcare settings, mental health and substance use services, and in private counselling practices.

BCASW is one of ten provincial and territorial social work associations in partnership with the Canadian Association of Social Workers.

Our Association is led by a voluntary provincial Board made up of executive members, regional representatives, a representative of the Canadian Association of Social Workers, and a student representative. Members serve as lead advisors to the Board, and on various committees and communities of practice including Health Advocacy, Anti-Racism and Cultural Advocacy, Indigenous Council, Child Welfare, and Seniors Issues. Additionally, our members are often asked to serve on ad hoc advisory groups for consultation on issues such as policy changes for child welfare, mental health service delivery, social work credentials, policing, and mental health and addiction.

Our Association works closely with the BC College of Social Workers, recognizing our different

mandates and responsibilities.

What We Do:

Social work is a profession concerned with helping individuals, families, groups, and communities to enhance individual and collective health and well-being. It aims to help people develop their skills and abilities to use their own resources, and those of the community, to prevent and resolve problems. Social work is concerned with individual and personal problems, broader social issues, the protection of fundamental rights, and social justice.

Social work practice is guided by the profession's code of ethics, values, and principles. Using trauma-informed approaches and knowledge of human behaviour and social, economic, and political systems, social workers assist people in all stages of life to build strength and capacity. With a deep understanding of the social determinants of health and knowledge of the interaction between human development and social, political, economic, and cultural factors; social workers work with people to manage life's challenges. Social workers' skills and interventions include assessment, problem-solving, counselling, crisis intervention, teaching, skill building, conflict resolution, the creation and use of resources, treatment, policy development, and support programs, program management, advocacy, and research.

The Current Situation:

The Social Workers Act of 1968 led to the formation of the Board of Registration of Social Workers (BRSW) as part of the BCASW the following year. In 1995, the BC government mandated the separation of the BCASW and the BRSW, leaving each to their unique functions of advocacy and professional regulation respectively. Amendments to the Act in 2008 formed the BC College of Social Workers (BCCSW) replacing the BRSW and updating the objects of the College. At no time has the Act fully protected the title "social worker" or mandated registration for all social workers with the College despite significant efforts by the Association and the College.

The Social Workers Act does not require all BC social workers to be registered with the College and therefore the Act does not fully serve the public interest. Social workers in some health authority positions and those in private practice (who choose to refer to themselves as social workers) are required to be registered with the College, leaving a significant majority of professional social workers to register voluntarily. The Act provides the framework for self-regulation of the profession with public input; however, we remain only partially regulated.

There is limited protection of title in the Social Workers Act. The Act reserves the use of the titles "social worker", "registered social worker", and "registered clinical social worker" to those registered with the College unless the person works for a "prescribed person". The Regulations for the Act define "prescribed person", or those exempt from registration and therefore free to use the title "social worker", as people employed by any of the following: government or an agent of government; a board or commission; a municipality, regional district, or board of education; an Indian band, a tribal council, a treaty first nation, the Nisga'a Nation or a Nisga'a Village; or an agency, other than an adoption agency as defined in the Adoption Act, to whose staff is delegated any or all of a director's powers, duties or functions under the Child, Family and Community Service Act or the Adoption Act.

Our aim is to strengthen professional social work and, most importantly, protect the public interest. We want children, youth, families, and communities to have confidence in our services and to know that they are working with degreed professional social workers. The College receives applications for registration, verifies degree credentials, admits only qualified social workers, superintends the practice of social work, provides assurances to the public that social workers are bound by professional ethics and standards of practice, and that social workers upgrade their social work knowledge and skills annually. Recipients of social work services, dissatisfied with those services, may express their concern to the College which has the authority to investigate and, if necessary, refer the matter to a disciplinary committee.

Over the span of several decades, repeated attempts by our professional association and others to remove exemptions has been met with only partial success. The last removal of exemptions was in 2013 when health authorities had their exemption removed at their request.

Several inquiries and government studies over the past three decades have recommended that social work be fully regulated, and some recommended that social work be regulated under the Ministry of Health.

It is deeply concerning that the Minister of Children and Family Development administers an act designed to protect the public interest through regulation of social work, yet the Minister maintains an exemption for MCFD staff and additionally fails to address the public safety concerns raised by unregistered social workers working for other employers.

Why Regulate:

Professional regulation's sole goal is to protect the public interest. The social work/service recipient relationship is emotional and based on trust. Many social workers work in practice settings that involve the establishment of long-term trust relationships with vulnerable people. Information, available through the offices of the BC Ombudsperson and the BC Representative for Children and Youth, indicate that social workers, working with vulnerable populations, can inflict considerable sexual, physical, emotional, psychological, and financial harm. Vulnerable people must be afforded the protection they deserve and need.

Exemptions create public confusion and distrust when service recipients are unable to trust that the person, they are receiving services from, identifies themselves as a social worker yet may not be a university-educated social worker. Regulation brings with it protection of title and with that, service recipients can know that the social worker has a university degree in social work, is committed to follow a code of ethics, and practise according to standards established by their peers.

Without full regulation there is a lack of public accountability. There is some level of accountability for poor or unethical social work practice by employers who can provide some administrative correction, up to and including dismissal. This limited oversight undertaken by employers should not be equated with regulation undertaken by a regulatory college. In an unregulated environment, an unregistered social worker, dismissed for misconduct is free to seek employment as a social worker with another employer. In a fully regulated environment, this would not be possible given that regulatory colleges have the authority to permanently suspend a social worker's right to practice.

In an unregulated environment, there are limited avenues for redress of grievances by recipients of services delivered by unregistered social workers. Some employers have established procedures for internal review of complaints, and some have arrangements for external bodies to review complaints. When employers review complaints, social work practice is measured against employer-created policy and procedures. When the BCCSW reviews complaints, members of the investigations team measure the social work practice delivered against the peer-created code of ethics and practice standards. Regulatory colleges have a profession-specific complaints and disciplinary process with a public record of registered and deregistered persons. Lastly, vulnerable people accessing social work services may not know they have a right to complain about poor service and may be reluctant to complain through the employer, concerned that they may have services withdrawn.

A fully regulated environment will increase the level of professionalism within the profession of social work. Registration with the BCCSW carries with it a commitment to excellence in social work practice and a desire to be held accountable for practice. All social workers will join the ranks of other registered professionals practising with clear ethics and practice standards, and an obligation to continue learning to improve practice. A heightened sense of professionalism will attract more people to the field of social work and applications to schools of social work may rise as individuals seek a meaningful helping career. Increased respect for the profession will help retain social workers in employment where too often, little respect is now shown.

Full regulation will create a full compliment of accountable professionals on multidisciplinary teams across the province. In 2013 the exemption for health authority social workers was removed from Social Worker Regulation creating a situation of full public accountability on healthcare teams. Professionals will have greater trust in colleagues when they know that those colleagues have appropriate qualifications and a commitment to ethical practice.

Regulatory colleges define safe and competent practice. In an unregulated environment there can be little agreement about what constitutes safe and competent practice. Regulatory colleges create practice standards that registrants must commit to in their practice. When social work practice advances, practitioners are obliged to work with the regulatory college to appropriately amend practice standards.

The Regulatory Infrastructure Exists:

Full regulation of social work is possible and accomplished by the removal of exemptions found in Social Worker Regulation. The BCCSW already superintends the practice of social work for more than 5,500 registrants with well-trained staff, strong practice standards, and a code of ethics. The BCCSW has a well-established complaints procedure with investigation and disciplinary committees staffed by experienced social workers and government appointees.

The Social Workers Act Needs Modernizing:

The Social Workers Act created the BC College of Social Workers and gives it the authority needed to superintend the practice of social work. The Act, however, is badly out of step with legislation regulating other helping professions and this situation will worsen as the Health Professions and Occupations Act comes into force through regulation. Legislation and regulation governing other professions do not include significant exemptions like the Social Workers Act and therefore provide

better public protection. The Health Professions and Occupations Act is designed to significantly improve public protection through new processes used to create boards and disciplinary committees, increase public transparency, and includes anti-racism and anti-discriminatory measures. As the Minister of Children and Family Development considers amendments to the Social Workers Act to modernize the legislation, additional administrative infrastructure and increased staffing will be required. Regardless of which Minister administers the act regulating the social work profession, all social workers in British Columbia must be required to register with the regulatory college to practise.

Support for Full Regulation:

The BC Association of Social Workers' ongoing efforts to remove exemptions has the support of our members who work for government, independently, and for employers across British Columbia. The removal of exemptions has the support of other professional associations and regulatory colleges. Our Association has canvassed social and health organizations, and agencies finding strong support for removal of exemptions and full regulation of social work. Many of these entities have informed us that they have either completed the survey on the consultation website or that they have submitted a brief. The First Nations Leadership Council has written to the Minister of Children and Family Development to express their support for full regulation of social work. Recently, Dr. Jennifer Charlesworth, BC's Representative for Children and Youth, informed our Association that her office supports full regulation of the social work profession in BC.

The Ministry of Children and Family Development's responsibility is to care for and protect vulnerable children and youth, and to support families and communities to do the same. Carrying on this work in an unregulated environment fails the test of public accountability and puts those who access Ministry services at avoidable risk. By extension, the Minister fails to address public safety and accountability by permitting unregistered social workers, employed outside of the Ministry, to practice.

We ask that the Minister for Children and Family Development improve protection of the public interest by removing Clause 4. Exempt Persons from Social Workers Act Regulation.

Sincerely,



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