

DEPARTMENT OF SOCIAL DEVELOPMENT**No. R. 101****18 February 2011****Social Service Professions Act 110, 1978****REGULATIONS REGARDING THE REGISTRATION OF SOCIAL WORKERS**

The Minister of Social Development has, in terms of section 28 of the Social Service Professions Act, 1978 (Act 110 1978), as amended, on the recommendation of the South African Council for Social Service Professions made the regulations set out in the Schedule hereto.

*SCHEDULE***DEFINITIONS**

1. In these regulations "the Act" means the Social Service Professions Act, 1978 (Act 110 of 1978), as amended and any expression to which a meaning has been assigned in the Act shall have such meaning and, unless the context otherwise indicates –

"annual fee" means the annual fee referred to in regulation 5

"certified copy" means a copy or photo copy of a document certified by a commissioner of oaths to be a true copy, or photo copy, as the case may be, of the original.

"certificate of registration" means a certificate of registration referred to in section 17 (2) (a) of the Act.

"chairperson of the board" means the chairperson appointed by the Minister in terms of regulation 4 of the regulations regarding the functioning of professional boards.

"National Qualifications Framework (NQF)" means a comprehensive system approved by the Minister of Education for the classification, registration, publication and articulation of quality-assured national qualifications.

"original" means a true/unique document without being reproduced in any manner.

"prescribed" means with regard to fees as prescribed by regulation 28 in terms of the Social Service Professions Act, 1978, as amended.

"president" means the president of the South African Council for Social Service Professions.

“provider” means for the purposes of these regulations, a recognized and accredited body that delivers learning programmes focused on the achievement of specified NQF registered qualifications and standards on the South African Qualifications Authority’s (SAQA) database and manages the assessment of learning achievements or prior to the existence of SAQA a body recognized by the Council for this purpose.

“qualification” means a qualification registered by the South African Qualifications Authority, or prior to its existence recognized by the SACSSP.

“register” means a register referred to in section 19(1) of the Act.

“Recognition of prior learning (RPL)” means an act by a provider comprising the comparison with the previous learning and experience of a learner howsoever obtained against the learning outcomes acquired for a specified qualification and the acceptance for purposes of qualification of that which meets the requirements.

“Social Work” means the profession of social work that promotes social changes, problem solving in human relationships and the empowerment and liberation of people to enhance well-being. Utilising theories of human behaviour and social systems, social work intervenes at the points where people interact with their environments. Principles of human rights and social justice are fundamental to social work. [International Federation of Social Workers and International Association of Schools of Social Work, 2000]

2. (1) The following qualifications are prescribed for the purpose of section 17 (1) of the Act:
- (a) A qualification obtained at a provider in the RSA where the applicant was enrolled for the qualification before 1 January 2007 that included-
 - (i) at least four year-courses in the subject Social Work, one year of which may be completed on post-graduate level;
 - (ii) a second major subject consisting of at least three year-courses in any subject in human or economic sciences;
 - (iii) a third subject consisting of at least two year-courses in any subject in the human or economic sciences, which does not include the subject referred to in subparagraph (ii); or
 - (b) a qualification obtained at a provider in the RSA before 1 January 1987 where the training in Social Work extended over three years that included at least three year-courses in Social Work plus either at least three year-courses in Sociology and at least two year-courses in Psychology, or at least three year-courses in Psychology and at least two year-courses in Sociology: Provided

that a qualification referred to in this paragraph will be recognized only if the holder enrolled or was enrolled for such qualification at any such provider not later than the beginning of the 1984 academic year, and subsequently satisfied all the requirements for such qualification; or

- (bA) a qualification obtained at a provider in the RSA or a former TBVC (Transkei, Bophuthatswana, Venda, Ciskei) state after 1 January 1987 where the training in Social Work extended over three years that included at least three year-courses in Social Work plus either at least three year-courses in Sociology and at least two year-courses in psychology or at least three year-courses in Psychology and at least two year-courses in Sociology: Provided that a qualification referred to in this paragraph shall be recognized only if the relevant provider issues a certificate stating that the holder of such qualification is qualified as a social worker and such person submits proof, acceptable to the Council, that he or she has, before the commencement of the Social Work Amendment Act, 1995 (Act No 52 of 1995), practiced as a social worker in any of the former TBVC states; or
- (c) a qualification obtained before 7 August 1970 at a provider in the RSA or in respect of which the holder of the qualification enrolled or was enrolled for such a qualification at such provider not later than the date referred to and subsequently satisfied all the requirements for the qualification which include –
 - (i) at least three year-courses in Social Work; and
 - (ii) at least three year-courses in either Sociology or Psychology or Criminology; and
 - (iii) at least one year-course in any of the subjects mentioned in subparagraph (ii) that was not included in such course; or
- (d) a qualification obtained at a provider in the RSA before 7 August 1970 in respect of which such provider issued a certificate to the effect that-
 - (i) the holder of such qualification is qualified as a social worker; or
 - (ii) the education and training in Social Work that such holder had received at the provider concerned, was regarded as adequate education and training for practicing the profession of Social Work; or
- (e) an Honours, or Master's or Doctorate degree in Social Work from a provider in the RSA which was obtained by a person after he/she had satisfied all the requirements for a qualification from the provider in the RSA other than the qualification referred to in paragraph (a) (b) (c) or (d), or he/she had been admitted to the status of such qualification by such provider –

- (i) before 31 December 1973; or
 - (ii) after 31 December 1973, but for which he or she was enrolled as a student at such provider on that date; or
 - (f) a qualification obtained at a training institution in a country or state outside the RSA –
 - (i) that grants the holder the right to practice as a social worker in the country or state in which the training institution concerned is situated;
 - (ii) in respect of which the Council, after such investigation and inquiry as it may deem fit, is satisfied that it is equal to or higher than the qualification referred to in paragraphs (a), or (b), or (g) or (h); or
 - (g) a professional Bachelor of Social Work degree equivalent to an NQF Level 7 or 8 qualification registered with the South African Qualifications Authority, and approved by the Professional Board for Social Work and the SACSSP: Provided that no more than 50% of this qualification may be obtained through RPL; or
 - (h) a qualification obtained at a provider in respect of which the holder of the qualification enrolled or was enrolled for such qualification after 21 September 2001 but before 1 January 2007 in the RSA where at least 50% of the total minimum content of the programmes for the qualification include Social Work modules taken over a study period of four years or a study period deemed to be four years, at the discretion of the Council; or
 - (i) A qualification obtained at a provider within the human or economic sciences, plus at least four year courses in Social Work to the equivalent of the CORE exit levels outcomes of the professional Bachelor of Social Work degree as registered on the SAQA database;
- (2) For the purposes of these regulations a qualification shall be deemed to have been obtained on the date on which the holder thereof satisfied all the requirements for such qualification.
- (3) No qualification in Social Work referred to in this regulation, obtained at a provider in the RSA, confers upon the holder thereof the right to register as a social worker unless the holder of such qualification, during his or her second year of study in the subject Social Work, starting on 1 January 1992, and during every later year of study in that subject, was registered as a student social worker in terms of regulation 2 of the regulations published by Government Gazette No 2427 of 30 October 1987, as amended.

APPLICATION FOR REGISTRATION

3. (1) Application for registration as a social worker shall be made on a form obtainable from the registrar.

(2) Such application form shall be accompanied by –

- (a) A certified copy of documentary proof, acceptable to the council, of the applicant's names, identity or residence permit number and date of birth or age;
 - (b) a certified copy of documentary proof of the qualification on the basis of which application is being made for registration;
 - (c) an original document from the provider providing proof of the duration of the course and the subjects passed or the competency of the applicant pertaining to the achievement of outcomes embedded in the qualification;
 - (d) in the case of a qualification obtained outside the RSA, also-
 - (i) an original document providing proof from the provider where the applicant received the education and training in Social Work, of the content, nature and duration of the theoretical training and experiential learning or field instruction that were received in each subject;
 - (ii) a certified copy of documentary proof that the provider where the applicant received the education and training in Social Work is accredited, specifying the body of accreditation, or if the provider is not accredited, proof of any other form of recognition that the provider has; and
 - (iii) in the case of a provider that is accredited, a certified copy of documentary proof from the accrediting body that the qualification is or was the accepted education and training for social work in the country concerned; and
 - (e) a certified copy of the marriage certificate of women who are married and who's surnames have changed.
- (3) Any document that must accompany the application concerned and that is not drawn up in English shall be accompanied by a translation prepared by a sworn translator in English, as well as certified copies of the original documents and the onus shall be on the applicant to have such documents so translated.

- (4) All applications shall be accompanied by the prescribed registration fee.

CERTIFICATE OF REGISTRATION

4. (1) A Certificate of registration shall be in a form determined by the Council and shall be signed by the President and the Registrar and shall bear the official seal of the Council.
- (2) A certificate of registration referred to in sub regulation (1) shall be deemed to have been withdrawn from the date on which the name of the holder thereof was removed under the Act from the register concerned.
- (3) If the registrar is satisfied that a certificate of registration has been destroyed or lost, he/she may upon application by the holder thereof and upon payment of the prescribed fee, issue a duplicate of the certificate of registration.

CONDITIONS FOR PRACTISING SOCIAL WORK

5. (1) A Social Worker who has complied with the requirements referred to in regulation 2 may in terms of section 15(1) of the Act practice the profession of Social Work subject to the following conditions:
- (a) The registration fee as prescribed has been paid; and
- (b) the annual fee as prescribed has been paid.
- (2) The annual fee payable by each social worker referred to in sub-regulation (b) shall be paid on or before 1 January of every year.
- (3) The annual fee of a person who is registered after the start of any financial year shall be calculated *pro rata* from the first day of the month during which the person is registered to the end of the financial year concerned, and be payable on or before the last day of the month in which such a person is registered;
- (4) In the case of a person who applies for registration in terms of section 22(4) and (5) of the act, or whose name is restored in terms of section 20(3) of the Act to a register contemplated in section 19 (1) of the Act, the annual fee be calculated *pro rata* for the period extending from the first day of the month during which the person's name is restored to the register to the end of the financial year concerned, and be payable on or before the last day of the month in which such person's name is restored to the register.

REGISTER

Keeping of register

6. (1) The Registrar shall record in the register the following details referred to in section 19(1) of the Act in respect of a social worker:
 - (a) Surname
 - (b) Previous surname (if applicable)
 - (c) First names
 - (d) Title
 - (e) Gender (Male/female)
 - (f) Identity or residence permit number
 - (g) Home language
 - (h) Date of birth
 - (i) Residential address
 - (j) Postal address
 - (k) Contact details such as telephone number, fax number and email address
 - (l) Qualifications, institution obtained and year of obtainment
 - (m) Registration number
 - (n) Registration date
 - (o) Disciplinary steps in terms of section 22 of the Act.
 - (p) Nationality
 - (q) Equity group
 - (r) Country of origin
 - (s) Current employer
 - (t) Setting of practice (e.g. urban/rural, Government, NGO, Business, Private practice)
 - (u) Person with disability (for equity purposes)
 - (v) Specialized fields of practice
- (2) The registrar shall, at the request of any social worker and upon submission of a certified copy of documentary proof, enter in the register opposite the name of such person –
 - (a) any advanced (post-registration) qualification in Social Work obtained by such person; and
 - (b) any academic qualification obtained by such person in another field of study.
- (3) The register shall on payment of the prescribed fee, be open to inspection during normal office hours to any member of the public who has a professional interest therein.

- (4) The registrar may, at the request of any person who in his/her opinion has a professional interest therein, and upon payment of the prescribed fee and subject to such conditions as the council or the professional board for social work may in general or in a particular case determine, issue to such person an extract from the register, subject to the provisions of the Promotion of Access to Information Act, Act 2 of 2000.

Application for restoration to the register

7. Application in terms of section 20(3) of the Act shall be made on a form obtainable from the council and shall be accompanied by the prescribed annual fee and restoration fee.

Application for re registration or termination of suspension of registration

8. An application in terms of section 22(4) and (5) of the Act shall be made on a form obtainable from the registrar and shall-
- (1) in the case of an applicant for re registration, be accompanied by the prescribed annual fee and re registration fee; and
 - (2) in the case of the application for the termination of suspension of registration, be accompanied by the prescribed annual fee for the current financial year if it has not yet been paid.

Change of name and change of residential and postal address

9. (1) Within three months of any change of name, every social worker shall notify the registrar in writing of such change of name and supply supporting evidence thereof.
- (2) Every social worker shall notify the registrar in writing of any change in residential and postal address within six weeks of such change.
- (3) Upon receipt of notice contemplated in sub regulations (1) and (2), the registrar shall enter the details in the register referred to in section 19 of the Act.

Payments to the Council

10. All payments to the Council shall be in South African currency.

DISCLOSURE OF CRIMINAL OFFENCES

11. (1) Every person applying for registration as a social worker and has been convicted of a criminal offence must disclose to the Council such offence
- (2) Failure to disclose information referred to in sub regulation (1) may result in the removal of the person's name from the register.

REPEAL OF REGULATIONS

12. The regulations made under the Social Work Act, 1978, published as Government Notice R.2426 in Government Gazette 11014 of 30 October 1987, as amended by Government Notices R. 951 in Government Gazette 13193 of 3 May 1991, R. 53 in Government Gazette 14526 of 15 January 1993, R. 1366 in Government Gazette 17375 of 23 August 1996, R 202 in Government Gazette 19757 of 19 February 1999 and R. 900 in Government Gazette 22673 of 21 September 2001 are hereby repealed.

COMMENCEMENT

13. These regulations shall come into operation on the date of the publication thereof.