

No. R. 102

18 FEBRUARY 2011

**Social Service Professions Act 110, 1978****REGULATIONS REGARDING THE REGISTRATION OF STUDENT SOCIAL WORKERS  
AND THE HOLDING OF DISCIPLINARY INQUIRIES**

The Minister of Social Development has, in terms of section 28 of the Social Service Professions Act, 1978 (Act 110 of 1978), 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" shall mean 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 -

"*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 17A 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;

"*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 purpose of qualification of that which meets the requirements;

"*Social Work*" means the profession of social work that promotes social change, 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]

### **REGISTRATION AS A STUDENT SOCIAL WORKER**

2. 1) A student in the subject Social Work at a provider in the RSA from his or her second year of study or who in any way whatsoever is involved with social work learning in a real life situation shall register as a student social worker with the Council.

(2) Approval can be given by the council to a social work student from outside the RSA, who wishes to do his or her experiential learning in the RSA to register with the SACSSP as a student social worker: Provided that such student submit documentary proof acceptable to the Professional Board for Social Work that he or she is enrolled for Social Work study at a training institution in his or her own country of origin and pay the prescribed fees.

### **APPLICATION FOR REGISTRATION**

3.(1) A student in Social Work as referred to in regulation 2 shall apply on or before 31 March of the year of study concerned for registration as a student social worker on a form obtainable from the Registrar.

(2) Such application shall be accompanied by -

- (a) a certified copy of documentary proof acceptable to the Council of the applicant's name, identity or residence permit number and date of birth or age;
- (b) the applicant's original academic record at the provider, indicating the subjects and number of year courses passed in each subject as well as those for which he or she is enrolled;
- (c) a certified copy of the marriage certificate of women who are married and who's surnames have changed; and
- (d) the prescribed registration fee.

(3) (a) A person who has abandoned his or her study in Social Work and who wishes to resume his or her study in Social Work shall, after a period of three years has lapsed since such abandonment, apply again for registration as a student social worker and pay the registration fee as prescribed.

- (b) A person who cannot be registered as a social worker in terms of the Act, and who wishes to enrol for a post-basic qualification in Social Work shall register on or before 31 March of the first year of such study as a student social worker and pay such prescribed fee for such registration.

(4) 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.

### **CERTIFICATE OF REGISTRATION**

4. (1) The registrar shall issue to every student social worker a certificate of registration in the form approved by the Council.
- (2) The 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 from the register concerned.
- (3) If the registrar is satisfied that a certificate of registration has been destroyed or lost, he or she may, upon application by the holder thereof and upon payment of the prescribed fee, issue a duplicate of the registration certificate.

### **PAYMENTS TO THE COUNCIL**

5. All payment to the Council shall be in South African currency.

### **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 student social workers:
- (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
  - a. Qualifications, institution obtained and year of obtainment
  - (l) Registration number
  - (m) Registration date
  - (n) Disciplinary steps in terms of section 22 of the Act
  - (o) Nationality
  - (p) Equity group

- (q) Country of origin
- (r) Current employer
- (s) Setting of practice (e.g. urban/rural, government, NGO, business, private practice))
- (t) Person with disability (for equity purposes)
- (u) Specialized fields of practice (if applicable)

(2) The name of a student social worker shall be removed from the register as soon as he or she is registered as a social worker, or as soon as proof is submitted to the satisfaction of the registrar that such student social worker has successfully completed his or her course or has abandoned his or her studies in the RSA.

(3) The register shall, upon payment of the prescribed fee, be open to inspection during normal office hours to any member of the public who has professional interest therein.

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

(5) The Council may grant to a person who desires to examine or make extracts from the register for *bona fide* purposes partial or total exemption from the fees referred to in sub regulation (3) and (4).

#### **Application for restoration to the register**

7. An application in terms of section 20(3) of the Act shall be made on a form obtainable from the registrar and such application shall be accompanied by the prescribed restoration fee.-

#### **Application for re-registration or termination of suspension of registration**

8. Application in terms of section 22(4) and (5) of the Act shall be made on a form obtainable from the registrar and such application shall -

- (a) in the case of an application for re-registration, be accompanied by the prescribed reregistration fee; and
- (b) in the case of an application for termination of the suspension of a registration, be accompanied by the prescribed registration fee if it has not the been paid.

#### **Change of name and change of residential and postal address**

9.(1) Every student social worker who is registered under the act shall

- (a) notify the registrar in writing within three months of any change of name and supply supporting evidence thereof; and
- (b) notify the registrar in writing of any change of residential and postal address within six weeks of such change.

(2) Upon receipt of a notice contemplated in sub-regulation (1) the registrar shall enter the details in the register referred to in section 19 of the Act.

### **PROVISION OF NAME LISTS**

**10.** Every provider shall submit to the registrar on or before 31 July of every year a list with the full name and year of study of every student in Social Work in respect of -

- (a) all students from their second year of study who are so enrolled at such training institutions on 1 May of that year;
- (b) all student social workers who abandoned their study during the previous twelve months, specifying the date of abandonment.
- (c) all student social workers who temporarily abandoned their study during the previous twelve months, specifying the reasons for such temporary abandonment and the date on which the students concerned expect to resume their study;
- (d) all students who after temporary abandonment of their study resumed their study during the previous twelve months, specifying the date of resumption; and
- (e) all student social workers who during the previous twelve months obtained the qualification.

### **DISCLOSURE OF CRIMINAL OFFENCES**

**11.(1)** Every person applying for registration as a student social worker and has been convicted of a criminal offence must disclose to the SACSSP such offence.

(2) All providers must inform the SACSSP of the outcome of any criminal offence that led to a disciplinary hearing during which the person was found guilty and convicted.

(3) Failure to disclose information referred to in sub regulation (1) may result in the removal of the person's name from the register.

### **DISCIPLINARY INQUIRIES**

**12.** The regulations regarding the conducting of inquiries into alleged unprofessional conduct, published by Government Notice R. 917 in Government Gazette No 25109 on 27 June 2003 shall *mutatis mutandis* apply to the holding of disciplinary inquiries with regard to student social workers.

### **TRANSITION CLAUSE**

**13.** The provision of regulation 3(3)(a) of the Regulations shall remain in force for a student who was registered as a student social worker before the commencement of these regulations.

### **REPEAL OF REGULATIONS**

**13.** The regulations made under the Social Work Act, 1978, published as Government Notice R. 2427 in Government Gazette 11014 of 30 October 1987, as amended by Government Notices R. 952 in Government Gazette 13193 of 3 May 1991, R. 1826 in Government Gazette 15138 of 1 October 1993, and R. 1374 in Government Gazette 18374 of 24 October 1997 are hereby repealed.

### **COMMENCEMENT**

**14.** These regulations shall come into effect on the date of the publication thereof in the Government Gazette.

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