



SOUTHAFRICAN COUNCIL FOR SOCIAL SERVICE PROFESSIONS

PROFESSIONAL CONDUCT

COMPLAINT OF ALLEGED UNPROFESSIONAL CONDUCT

To be completed to lodge a complaint regarding alleged unprofessional or improper conduct against a social service professional

SACSSP
37 Annie Botha Avenue
Riviera,
Pretoria
0084

SACSSP
Private Bag X12
Gezina
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0031

ENQUIRIES:
Email: profcon@sacssp.co.za
Telephone: 012 356 8300/ 8315
www.sacssp.co.za

GENERAL INSTRUCTIONS

- Please read *Section A* **before** you complete FORM C.1.1
- FORM C.1.1 needs to be completed to lodge a complaint regarding alleged unprofessional or improper conduct against a social service professional.
- A complaint must be lodged in writing in the form of FORM C.1.1 and completed in English.
- Complete a separate Complaint Form (FORM C.1.1) for each respondent you are lodging a complaint against.
- FORM C.1.1 should preferably be typed or, alternatively, if handwritten, must be legible and the submission should be in English.
- Study FORM C.1.1 carefully *before* completing it. Read the instructions with each section and answer all questions fully, clearly and correctly. Before you start:
 - Gather all the information and facts related to the specific complaint. Please provide as much detail as you can.
 - It is important to include the name(s) and contact particulars of the person(s) against whom you are laying the complaint and witnesses (if any).
 - Indicate the places, date(s) and time(s) of incidents.
- If you have to make any corrections to your answers - *initial* in the right margin next to the correction made.
- Before you submit the complaint form (FORM C.1.1) double check that you have included everything before you finalise and submit the complaint.
- Complete the checklist at the end of FORM C.1.1 *before* you submit it.
- FORM C.1.1 and all supporting documents may be submitted by post (ordinary mail or registered mail), courier, electronic mail (eMail) or hand delivered. Address is on *page 4*.

A. OVERVIEW AND GUIDANCE

The South African Council for Social Service Professions (SACSSP) is a statutory body established in terms of section 2 of the Social Service Professions Act 110 of 1978 (the Act). The SACSSP has two professional boards under its auspices, i.e. the Professional Board for Social Work and the Professional Board for Child and Youth Care Work. The SACSSP, in conjunction with its two professional boards, guides and regulates the professions of social work and child youth care work in aspects pertaining to registration, education and training, professional conduct and ethical behaviour, ensuring continuing professional development, and fostering compliance with professional standards. It is protecting the integrity of the social service professions as well as the interest of the public at large. In order to safeguard the public and indirectly the professions, registration in terms of the Act with Council is a prerequisite for practising social work and child and youth care work. This includes social workers, social auxiliary workers, student social workers, child and youth care workers (professional category of registration), child and youth care worker (auxiliary category of registration) and student child and youth care workers.

DISCIPLINARY POWERS OF THE SACSSP

The South African Council for Social Service Professions (SACSSP) objects are to maintain, uphold and standards of professional conduct and regulate the practising of the social service professions registered with it under the Social Service Professions Act 110 of 1978. The SACSSP is legally obliged in terms of the Social Service Professions Act 110 of 1978 to receive and consider every complaint of alleged unprofessional or improper conduct and to take such actions as deemed necessary should a person registered with Council be found guilty of professional misconduct. This is also part of the SACSSP responsibility to ensure that high standards of conduct are maintained, which all service users are entitled to. Section 21 of the Social Service Professions Act 110 of 1978 empowers the SACSSP to institute an inquiry into any complaint regarding alleged unprofessional or improper conduct against any person registered under the Act to protect the public and the integrity of the professions. If a social service professional found guilty of unprofessional or improper conduct the SACSSP may impose to impose any of the penalties prescribed in section 22 of the Act.

TERMINOLOGY

The following terms are used in this form and, unless otherwise indicated, have the following meanings:

- Act** means the *Social Service Professions Act 110 of 1978*
- Complainant** means the person lodging the complaint
- Regulations** means the *Regulations regarding the conducting of inquiries into alleged unprofessional conduct* (Government Notice R 917 published in Government Gazette No 25109 of 27 June 2003)
- Respondent** means the person against whom a complaint of alleged unprofessional or improper conduct is lodged
- Social service professional** means a person who required by law to register with the South African Council for Social Service Professions and includes social workers, social auxiliary workers, student social workers, student social auxiliary workers, child and youth care workers at the professional and auxiliary categories of registration and students in child and youth care work

WHO CAN LODGE A COMPLAINT?

Any person who receives a service from a social service practitioner has the RIGHT to lodge a complaint about alleged unprofessional or improper conduct. A complaint may also be lodged by any member of the public, another social service professional, an organisation, or any other party.

You are encouraged (where it is practically possible) to first lodge your complaint directly with the social worker or child and youth care worker concerned so that you can jointly consider the possibility of attaining an expeditious remedy to your complaint.

PROCEDURE WHEN A COMPLAINT IS RECEIVED

The South African Council for Social Service Professions takes all complaints seriously. Every complaint received is examined, analysed and categorised to ensure that the right course of action is taken. If a complaint does not fall within the jurisdiction of the SACSSP it is referred to the relevant authorities, for example complaints against organisations, government departments, other professionals that do not fall under the Social Service Professions Act 110 of 1978, or disputes where a social service professional was not involved. The procedures for the investigation of a complaint are published in the *Regulations regarding the conducting of inquiries into alleged unprofessional conduct* (Government Notice R 917 published in Government Gazette No 25109 of 27 June 2003).

HOW THE SOUTH AFRICAN COUNCIL FOR SOCIAL SERVICE PROFESSIONS DEALS WITH A COMPLAINT

Review: When the complaint is received it will be reviewed to determine the nature of the complaint and whether it falls within the mandate of the SACSSP. If the matter **does not fall within the jurisdiction of the SACSSP** it will be referred to an appropriate body or authority.

If it falls within the mandate of the SACSSP:

Right to respond: The complaint is forwarded to the respondent (the person against whom a complaint of alleged unprofessional or improper conduct is lodged) affording him or her the opportunity to respond in writing within 21 calendar days.

After the response is received:

Determinations by Registrar: Registrar or designated official determines, based on all the facts at his or her disposal whether the complaint need to proceed or not; or whether it can be resolved cordially with a settlement between the complainant, respondent and/or any other parties involved.

Referral for an inquiry: If the complaint needs to proceed and requires a further inquiry it will be referred by Registrar or designated official either to the Committee for Preliminary Inquiry (CPI) for further investigation or to the Professional Conduct Committee for a disciplinary inquiry.

Feedback: The complainant and respondent will be notified in writing of the determinations of the Registrar or designated official related to the complaint.

Thus, the matter may be referred either to the Committee for Preliminary Inquiry (CPI) or the Professional Conduct Committee, which each has a different mandate.

Referral to the Committee for Preliminary Inquiry (CPI): The Committee for Preliminary Inquiry (CPI) will deal with the complaint in accordance with regulations 5 to 15 of the Regulations. The Committee for Preliminary Inquiry (CPI) may make a finding that the complaint does or does not constitute unprofessional conduct. If the complaint constitutes does not constitute unprofessional conduct deal with it as prescribed or refer the matter for a disciplinary inquiry. The complainant and respondent will be notified in writing of the finding(s) of the of the Committee for Preliminary Inquiry related to the complaint.

Referral to the Professional Conduct Committee: The Professional Conduct Committee shall deal with the matter in terms of Regulation 16 – 26 of the Regulations. The Professional Conduct Committee shall conduct disciplinary inquiry to determine whether the respondent is guilty of unprofessional or improper conduct. If the respondent is found guilty, the Professional Conduct Committee will impose a penalty in line with Section 22 of the Social Service Professions Act 110 of 1978.

Please note that the SACSSP endeavours to finalise the investigation of each complaint received within a reasonable period. Depending on the nature of the complaint, some cases might take longer than envisaged.

For more information please visit www.sacssp.co.za and go to the **Professional Conduct** link

INSTRUCTIONS:

SECTION B: Complainant details

- This section must be completed.
- All fields marked with an * must be completed as to ensure the SACSSP is able to contact you regarding this complaint.
- **B-1:** Indicated whether this complaint is lodged by an individual or an organisation.
- **B.2:** In the case where a complaint is lodged on behalf of an organisation, the **representative** of the organisation must insert his or her details in B-2.
- **B-3:** Only complete if this complaint is lodged on behalf of an organisation.

B. COMPLAINANT DETAILS

B-1 Complaint lodged by* Individual Organisation

B-2 Details of complainant (in the case of an organisation, indicate details of the **representative** of the organisation)

Title* (mark **ONE** only with **X**) Prof Dr Rev Mr Mrs Ms Miss

First names* (as on ID)

Surname* (as on ID)

ID number

Mobile / Cell number*

Telephone* (during the day) -

Email* (write clearly)

Alternative email (write clearly)

Home language*

Postal address*

 Postal code

Physical address*

Town*
 Postal code

Province* EC FS GA KZ LP MP NC NW WC

B-3 Organisation (only complete if this complaint is lodged on behalf of an organisation - see B-1 above)

Name of organisation*

Postal address* (if different from above)

 Postal code

Physical address* (if different from above)

Town* (if different from above)
 Postal code

Email* (if different from above)

Telephone* (if different from above) -

Type of organisation*

INSTRUCTIONS:

SECTION C: Respondent's details

- This section **must be completed**.
- IMPORTANT:** If you are lodging a complaint against more than one respondent, please complete a separate complaint form (FORM C.1.1) for each respondent indicating what you regard as unprofessional conduct in each instance.

C-1: Details of respondent

- In this section you need to provide all the identifying details of the respondent (the person against whom you lodge a complaint regarding alleged unprofessional or improper conduct against)
- All fields marked with an * must be completed as to ensure the SACSSP is able to contact the person against whom you are lodging a complaint regarding alleged unprofessional or improper conduct against.
- If there is any required information that you do not have, please indicate that you do not have the specific information.

C-2: Professional category

- Please indicate in this section the profession that the person against whom you lodge a complaint is practising.
- If you do not have a person's SACSSP registration number, you can search the register on Council's website (www.sacssp.co.za).
- If there is any required information that you do not have, please indicate that you do not have the specific information.

C-3: Employment of respondent

- Please indicate in this section where the person against whom you lodge a complaint is employed.
- If the person is a social service professional in private practice the details of employer do not need to be completed if it is the same as in C-1.
- If the person is a student in social work or child and youth care work, please indicated the name of the training institution.

C. IDENTIFYING PARTICULARS OF THE RESPONDENT

C-1 Details of respondent (in the case of an organisation, indicate details of the *representative* of the organisation)

Title* (mark **ONE** only with **X**) Prof Dr Rev Mr Mrs Ms Miss

First names* (as on ID)

Surname* (as on ID)

ID number

Mobile / Cell number*

Telephone* (during the day) -

Email* (write clearly)

Postal address*

 Postal code

Physical address*

Town*
 Postal code

Province* EC FS GA KZ LP MP NC NW WC

C-2 Professional category (mark **ONE** only with **X**)

Indicate the professional category of the respondent (the person against whom the complaint is lodged)

<input type="checkbox"/> social worker	<input type="checkbox"/> child & youth care worker
<input type="checkbox"/> social auxiliary worker	<input type="checkbox"/> child & youth care worker (auxiliary level)
<input type="checkbox"/> student social worker	<input type="checkbox"/> student child & youth care worker (professional / auxiliary level)
<input type="checkbox"/> student social auxiliary worker	

SACSSP Registration number* -

C-3 Employment: where is the respondent employed* (mark **ONE** only with **X**)

National Government	<input type="checkbox"/>	Provincial Government	<input type="checkbox"/>	Local Government	<input type="checkbox"/>	Government entity	<input type="checkbox"/>	Industry/ business	<input type="checkbox"/>
Private Practice	<input type="checkbox"/>	Academia	<input type="checkbox"/>	Training provider	<input type="checkbox"/>	NGO/ NPO/ CBO	<input type="checkbox"/>	Not sure	<input type="checkbox"/>
Student	<input type="checkbox"/>	Other	<input type="checkbox"/>	If Other, specify	<input type="text"/>				

Name of employer*

Address of employer

Town*
 Postal code

Training institution (if student)

Proceed to SECTION D on the next page

INSTRUCTIONS:

SECTION D: Complaint details

- This section must be completed.
- Please mark with an **X** to indicate the nature of the alleged unprofessional or improper conduct.
- You may mark and complete more than one complaint category.
- Motivate/ describe your complaint regarding the alleged unprofessional or improper conduct. If you need more space, please add an A4 folio page(s) and mark it clearly with the corresponding section number.
- It is imperative that the content of your complaint is readable. Please type or write clearly.
- It is important that you provide all the detail and factual information regarding the complaint that you are lodging.
- **IMPORTANT:** If you have supporting documents or records that support your complaint. Please attach a list of all supporting documents or records attached as Annexures and add each document (clearly marked) in the same order as on the list to FORM C.1.1.

D. INFORMATION REGARDING THE COMPLAINT

Please type or write clearly the details of the complaint as it is imperative that this must legible in order to process the matter.

D-1 Acts or omissions deemed to be unprofessional or improper

Please mark with **X** where most appropriate in your view and motivate/ describe your complaint regarding alleged unprofessional or improper conduct. You may mark and complete more than one.

D-1(a) Behaviour or conduct detrimental to the profession

If you need additional space, please add an A4 folio to this form and mark it clearly as Annexure D-1(a)

D-1(b) Behaviour or conduct towards clients

If you need additional space, please add an A4 folio to this form and mark it clearly as Annexure D-1(b)

D-1(c) Supersession (not to accept a client of a colleague unless pre-arranged)

If you need additional space, please add an A4 folio to this form and mark it clearly as Annexure D-1(c)

D-1(d) Behaviour or conduct towards colleagues and other professional per-

If you need additional space, please add an A4 folio to this form and mark it clearly as Annexure D-1(d)

D-1(e) Behaviour or conduct towards employers and partners

If you need additional space, please add an A4 folio to this form and mark it clearly as Annexure D-1(e)

D-1(f) Advertisement contrary to the requirement of guideline of code of ethics

If you need additional space, please add an A4 folio to this form and mark it clearly as Annexure D-1(f)

Please attach any additional documentary evidence that is relevant and in support of this complaint to FORM C.1.1. Mark each additional document or record that is attached clearly as an Annexure.

INSTRUCTIONS:

SECTION D: Complaint details

- See previous page.

D-2: Other actions

- If you have instituted any other action, please provide as much details as possible.

SECTION E: Declaration

- Please read and complete the appropriate section - either E-1 or E-2.
- Sign FORM C.1.1 and append the date of completion in the provided spaces.
- Complete the check list below **before** you submit the application.

FINAL CHECK LIST:

Before submitting this complaint form please check the following:

- D I read *Section A*
- D All required fields in *Section B* are completed and I have double checked
- D All required fields in *Section C* are completed and I have double checked
- D All required fields in *Section D* are completed and I have double checked
- D FORM C.1.1 is signed on page 5 (*Section E*)

Attachments

- D All additional pages that were added as part of *Section D* are clearly marked with the corresponding section number.
- D A list of all any additional documentary evidence and records is attached.
- D Each additional/ supporting document or record on the list above is clearly marked and attached in the same order as on the list.

Please send complaint (FORM C.1.1) with all annexures to

SACSSP
Private Bag X 12
Gezina 0031

or submit by hand or courier

SACSSP
37 Annie Botha Avenue
Riviera, Pretoria

or email to profcon@sacssp.co.za

D-1 Acts or omissions deemed to be unprofessional or improper (continue)

Please mark with **X** where most appropriate in your view and motivate/ describe complaint regarding alleged unprofessional or improper conduct. You may mark and complete more than one.

D-1(g) Omission to display registration certificate

If you need additional space, please add an A4 folio to this form and mark it clearly as Annexure D-1(g)

D.2 Have you instituted any other action against the respondent or have you referred the complaint to any other institution (eg high court, children’s court, criminal/labour/civil courts)? Please specify and indicate the status or outcome of such action.

YES
 NO

If you need additional space, please add an A4 folio to this form and mark it clearly as Annexure D-2

Please attach any additional documentary evidence that is relevant and in support of this complaint to FORM C.1.1. Mark each additional document or record that is attached clearly as an Annexure.

E. DECLARATION

E-1 COMPLAINT IN PERSONAL CAPACITY

I, hereby declare

Full names and surname

that the facts contained herein are true and correct.

Singed at on of 20

Signature: Complainant

E-2 COMPLAINT ON BEHALF OF AN ORGANISATION

I, hereby declare

that the facts contained herein are true and correct.

Singed at on of 20

Signature: Director/Manager of organisation

Signature: Contact person

If different from the Director/Manager of organisation

Capacity of contact person

FOR OFFICE USE ONLY

Do not complete

INTERNAL CHECK LIST

- D Receipt acknowledged
- D FORM C.1.1 complete
- D File number allocated
- D Complaint procedure opened

Date received		Receipt acknowledged	
Comments, if any			