

SOCIAL WORKERS REGISTRATION BOARD

Notes of the 3rd Meeting of the Taskforce on Review of Code of Practice

Date: 22 March 2017
Time: 9:15 a.m.
Venue: Conference Room, 26/F., Eastern Commercial Centre, 83 Nam On Street, Shau Kei Wan, Hong Kong
Present: Dr. CHENG Yuk-tin, Carl (co-opted member)
Dr. LAM Chiu-wan (co-opted member)
Dr. LEUNG Chuen-suen
Mr. LUN Chi-wai
Apology: Mr. WONG Ka-ming (Acting Convenor)
Secretary: Mr. LEE Wing-po, Eric, Registrar and
Ms. FAN Lai-yee, Veronica, Assistant Registrar

Dr. LEUNG led the discussion of the meeting on behalf of the Convenor.

Confirmation of notes of last meetings

1. The notes of meeting were confirmed without further comment.

Observations during initial screening process by 2 Board Members

2. It was noted that the Code of Practice was used as a basis for adjudication when the conduct of a social worker was alleged to have violated the standards specified in the Code of Practice. Members agreed that the followings should be elaborated in a more structured framework:
 - (a) Aspirations towards RSWs e.g. whistle blowing, social advocacy (no violation of the standards if RSW not to do so);
 - (b) What RSWs should do e.g. upgrade their professional skills and knowledge (may or may not violate the standards if not to do so); and
 - (c) What RSWs should not do e.g. sexual relationship with clients (violate the standards if doing so).
3. Eight Board Members were responsible for screening the complaint cases and two of them were Taskforce Members as well. At the previous meeting, they had shared their experiences of screening complaint cases. They found that in some circumstances, it was difficult for 2 Board Members to make decision whether to refer the cases to the Board. The following scenarios were noted by the Taskforce:
 - (a) When the complaints were related to malpractice as described in paragraph 2(b) above.
 - (b) When the RSWs worked in secondary settings, it was difficult to define who is the principal client. For example, school social workers (students vs school vs parents), RSWs handling family issues (father vs mother) or RSWs handling child abuse cases

- (parents vs MCDD vs courts).
- (c) When the complaints were related to the malpractice of RSWs in performing his/her administrative or management functions.
 - (d) When the RSWs were not working in the capacity of social workers or not working in any social welfare organizations but still being registered.
4. Some members raised the following points for further discussion at the subsequent meetings:
- (a) Relationship of the Code of Practice and RSWs may be considered from a communitarian perspective and so the function of COP would not only be regulatory or disciplinary.
 - (b) The Code of Practice would allow right of conscience and right of exemption;
 - (c) The Code of Practice should be written in clear, precise and concise manner with greater flexibility and richness;
 - (d) The Code of Practice would clarify the relationship between professional misconduct of social workers and the administrative malpractices involving ethical issues;
 - (e) Presentation, structure and layout design of the Code of Practice should be reviewed; and
 - (f) There should be more elaborations on the part of “Values”.

Review of disciplinary cases

5. It was noted that six disciplinary hearings were conducted during 2013-2016. The cases included (business information deleted). The observations from the disciplinary cases were in line with the findings in paragraph 3 above.

Next action

6. Each member would study the Code of Practice of overseas countries:
- (a) USA COP by Dr. Lam Chiu Wan
 - (b) Australia COP by Mr. Lun Chi Wai
 - (c) UK COP by Dr. Carl Cheng
 - (d) Canada COP by Dr. Zeno Leung
 - (e) Taiwan COP by Mr. Wong Ka Ming
7. Members would compare HK’s Code of Practice with overseas according to the following framework
- (a) Contents
 - (i) What are included in their “preamble”
 - (ii) Related to what should do
 - (iii) Related to what should not do
 - (b) Structure of COP, if on behavioral terms, style
 - (c) Omissions or differences from the HK COP

8. The next meeting would focus on the structure, so as to adopt an agreed skeleton for future deliberation.

Date of next meeting

9. The next meeting would be held on 11 April 2017 at 9:15am at the Hong Kong Polytechnic University.
10. There being no other business, the meeting was adjourned at 12:15 pm.

3 April 2017