

# REPORT TO CSWEANZ ON BEHALF OF THE FIT AND PROPER WORKING GROUP

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## Introduction:

This report is compiled on behalf of the Fit and Proper Working Group and provides the results of a Fit and Proper Survey commissioned by CSWEANZ.

### Fit and Proper Working Group:

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Dr Barbara Staniforth, Director of Social Work (Qualifying Programmes), Faculty of Education and Social Work, University of Auckland

Dr Carole Adamson, Senior Lecturer, Counselling, Human Services & Social Work, Faculty of Education and Social Work, University of Auckland

John Hancox, Manakau Institute of Technology, Auckland.

David McNabb, Lecturer, Social Practice, Health & Community and Sciences Network, Unitec Institute of Technology, Auckland

## Background:

In February 2015 representatives of the SWRB attended the CSWEANZ meeting and informed the Council that they were going to undertake a review of the Fit and Proper criteria for social work registration. During March 2015, CSWEANZ members and representative schools began an online discussion in response to the information from the SWRB. The salient points from that discussion are summarised on pages 6-7.

To facilitate discussion of fit-and-proper criteria, CSWEANZ called for volunteers to form a working group to develop an agreed statement of position. Responsibility for the formation of a working group was assigned to Carole Adamson as a member of the CSWEANZ Executive. Carole put out a call to all CSWEANZ members (35 names on the mailing list covering nineteen member schools) and four people indicated their willingness to be part of a working group. Additionally, another three members indicated their willingness to be involved in a more peripheral manner. The four members of the working group were Barbara Staniforth, Carole Adamson, Catherine Hughes and John Hancox. Carole and Barbara developed the working group's Terms of Reference (TOR) and circulated these for input and amendments.

Once CSWEANZ accepted the terms of reference the working group met in May 2015 to discuss how to best achieve the goals established in the TOR. The group determined that the questions were to be asked in an online questionnaire.

It was agreed that a Survey be carried out, the aims of which were based on the TOR:

- Gain a picture of the processes that schools of social work used in selection processes and declining applications, as well as ongoing assessment of fit and proper criteria within programmes;
- Identify the fit and proper issues that emerge for Schools of Social Work;
- Enable schools to develop a shared understanding of the issues and to participate and contribute to national debate and development of guidelines.

Catherine applied to the CSWEANZ Executive for funding of Survey Monkey with a maximum sum of \$450.00 for the purpose of developing and administering a survey to establish a baseline of data from all schools regarding their assessment of fit and proper.

In June 2015 the working group contracted an independent researcher, Dr Roslyne McKechnie, to assist with the design and to administer the survey powered by Survey Monkey.

In August 2015, David McNabb, who was the President of CSWEANZ, supported the working group by becoming a member and preparing an application for consideration by Innovate ITP Metro

Research Voucher Scheme (<http://metros.ac.nz/>). In October 2015 David was informed of the outcome of his request.

We've considered the application and have reached the decision that your project should be approved for further scoping and, subject to a full scope being completed, funded to the value of \$5,000 (Mark Towl, personal communication, 22 October 2015).

As David was the President of CSWEANZ, he was unable to be named as the Research Leader for the funding. Catherine agreed to take on the Research Lead role for the preparation of the full funding application, and for overseeing the survey.

In January 2016, the Registrar of the SWRB heard of the work being undertaken by CSWEANZ on the Fit and Proper Policy. She decided to provide information to David, as the President of CSWEANZ, as background for the Council's Fit and Proper discussion. The Registrar noted;

Sections 6, 7 & 13 of the Social Workers Registration Act (2003) (The Act) require applicants for registration to be 'a fit and proper person to practise social work'. The Board makes this determination on receipt of a full application for registration. The Board has updated its policy *Fit and Proper Person* [Appendix 1] which outlines the legislative context for this policy and the considerations that the Board has established. When making decisions the Board adheres to the principles of human rights and social justice and considers each case where there may be some concern on a case by case basis. The Board is also aware that applicants may meet the fit and proper requirements for registration but not meet the requirements for employment, particularly in light of the Vulnerable Children Act (2014). The Board is clear their role is to regulate not employ.

Tertiary education institutions are required to assure themselves that applicants for study in a recognised social work programme would meet the Board's fit and proper requirements. Institutions make these decisions in a number of ways...

The SWRB is often contacted by prospective students with conviction histories asking whether they would be able to be registered. It is explained to them that this decision is only made by the Board when they receive an application for registration. It is explained to them that the Board has a policy and they should discuss this with the educator in the first instance if they have concerns.

In some cases – e.g. fraud, it may appear clear cut – however the Board is able to put conditions on a practising certificate so the question the Board would ask is, is there a way we can manage this so that the applicant and the public are safe. Another

consideration is of course the time that has elapsed since the offending occurred. Particularly with minor convictions if the student's convictions were more than 5 years old at the commencement of their course and they then complete their course without further convictions they should not be overly concerned. Students should also be advised that although they would in all likelihood get registered they may not be able to get placements in particular agencies, or when completed employed in similar agencies.

There is no clear-cut answer for students or educators. My understanding was that CSWEANZ was going to develop some draft guidelines for discussion (J.Duke, personal communication, January 26, 2016).

Interestingly, the 2013 Census showed that about 18,000 people identified themselves as 'social workers'. According to the SWRB there were almost 6000 registered social workers as of November 2016. At the time of the 2003 Bill, registration was not considered necessary: however there are now enough social workers with professional qualifications to support the move to mandatory registration, in line with other professional organisations, such as health practitioners, teachers and lawyers (Social Services Committee, 2016).

Currently, registered social workers must hold a practising certificate which is required to be renewed annually. The registration of social workers is under the auspices of the SWRB. The Social Services Committee made 38 recommendations to the Government, the first one being that registration become mandatory. The full document is attached as Appendix 2.

Between January and February 2016, David and Catherine conducted the full scoping and submitted the funding application and budget by the end of February. The funding contract between CSWEANZ and the ITP Metro Research Voucher scheme was finalised in March. By this time the survey had been completed and the results were ready for analysis and presentation to CSWEANZ.

At the June 2016 CSWEANZ meeting, Catherine provided an update of the progress of the Fit and Proper Working group and presented some initial findings to the council. She requested permission from CSWEANZ for the secondary use of the data if working group members wanted to consider a research output drawing on the data. This permission was given by CSWEANZ with a note that CSWEANZ owns the report and has given permission for two things. One was the use of the data in publications and the other is the use of the report to support any publication as an acknowledgment of the work of the people doing the research. It was also noted that whilst some institutions would not grant ethics approval for the use of data collected for one purpose, being used for a different purpose, others might consider this.

The need for Māori and Pacific Island representation in the working group was discussed and volunteers were requested from among council members to assist in the completion of the analysis, developing a presentation to CSWEANZ and completion of a written report. Catherine explained that there was \$5000 available to buy out time to compile the required report. Three working group members indicated their interest in being involved in the research and they were all sent copies of the survey and background information. Unfortunately, due to work commitments, none of the members could find the required time to engage in the research and regrettably withdrew. Moving forward it will be vital to secure Maori and Pacific Island representation.

To maintain access to the MRV Funding, David updated the funding contract and Catherine followed up with two research assistants to see if they could complete the report. Unfortunately, neither could do so and Catherine decided to complete an initial analysis and prepare a presentation for the next CSWEANZ meeting in November 2016.

In November 2016 at the CSWEANZ AGM, Catherine and Barbara presented the survey results at the council meeting. The PPT presentation was then sent out to all CSWEANZ members requesting input for writing a final report to CSWEANZ. No feedback was received and the survey languished while working group members were on sabbatical or research leave. In Semester Two, 2017, Catherine began writing the report and eventually engaged the support of Roslyne McKechnie through the MRV Scheme to help draft this report for the November 2017 CSWEANZ AGM Meeting.

### Online Discussion Summary

The next section will summarise the discussions that took place amongst Schools of Social Work in regards to selection and admission of students and historical criminal convictions which would impinge on the students' opportunities for placement during training and employment once graduated.

There were two issues that became the catalyst to stimulate discussion amongst Schools of Social Work about the Fit and Proper criteria throughout March of 2015. One was the changes in the child welfare sector and updating of the Care of Children Act (2004) to the Vulnerable Children Act (2014), around Police checking of people working with children; and the other was a review of SWRB Fit and Proper policy and the statement that it was up to educators to make the call about student selection and admission to their own programmes with regard to convictions. The discussion points listed below do not represent the view of CSWEANZ but merely represent initial discussions (held on email) of individual educators. The points raised in the discussions included:

- Concern was expressed about the potential for discrimination given the criteria for employing staff or taking students on placement as stipulated in the Children's Action Plan.



- The impact of this has been a decline in placement opportunities for students with criminal convictions.
- Concerns were expressed about the likelihood of the SWRB to devolve responsibility of the Fit and Proper policy to tertiary providers.
- Many social work students follow this path because of their prior life experience, therefore many of the tertiary providers review each application on a case-by-case basis.
- It is the role of educators to point out openly and honestly the potential impact that criminal convictions may have on student opportunities for placement and/or employment.
- Whether or not a student gains registration is not determined by the educators.
- The screening of applicants to social work programmes needs to be approached with caution so that the application of fit and proper criteria does not further perpetuate structural inequities.
- Inequalities in society are perpetuated when prosecution and convictions are applied unequally, which is sadly the case when discrimination occurs. This social inequality disadvantages more Māori and Pacific Island applicants than European applicants.
- If the Vulnerable Children's Act changes are interpreted narrowly, there are a number of negative consequences for social workers at every stage of their career and may also impact on the ability of the SWRB to be flexible around convictions.
- Convictions should only be one aspect of making applicant/placement/employment decisions.
- Changes seem to be driven by an audit mentality that is mostly focused on risk assessment rather than on improving practice.
- There are wider issues around power and control in terms of relationships between the regulatory and educational sectors.
- There is some concern that a few students are admitted onto social work programmes who will not be eligible for registration; these students may have been admitted with the unrealistic hope of becoming a registered social worker. There is some variability in schools' decision making processes around who to decline or accept and this may be putting students at risk.
- It is preferable that students be admitted with realistic expectations that if they have a history of conviction/s there will be some placement/employment opportunities that may be closed to them.
- The final decision about registration is made by the SWRB who take into account the graduates narrative about the conviction as well as supporting evidence provided by applicants.
- Employers are interpreting the fit and proper definition loosely and variably. There is a lot of anecdotal evidence that different sites, even within the same organisation, will take students whereas others won't.
- We need to be aware of the impact of the Vulnerable Children's legislation and the review of the Social Work Registration Legislation Bill later in the year which will include mandatory registration.

## The Survey:

Survey invitations were sent on 17<sup>th</sup> August, 2015 to 20 contacts from 19 tertiary institutions with the following message.

“Attached is a survey that has been developed in response to a request from CSWEANZ to look at fit and proper criteria. We are attempting to collect data on how each of the schools of social work in Aotearoa New Zealand assesses fit and proper criteria throughout the student journey.

We would really appreciate it if you could complete the survey on behalf of your school or advise us if you are not the correct person to receive this, and who it should be forwarded to.

You have one week to complete the survey from today’s date, so the final day you can access the survey is August 27<sup>th</sup>. Please click the following link to open and complete the survey <https://www.surveymonkey.com/s/J7Y5MM8>.

Please only complete one survey per school.

The findings of the survey will be presented to all CSWEANZ members.

Nga Mihi nui”.

Table 1

*Timeline for the Survey*

<b>Date</b>	<b>Content</b>	<b>Number of Contacts</b>
6 July 2015	Survey created	
17 August 2015	Invitation sent	19
24 August 2015	Reminder	15
	Thank you sent	5
26 August 2015	Invitation sent	1
	Reminder sent	11
31 August 2015	Reminder sent	7
14 September 2015	Thank you sent	13
18 September 2015	Reminder sent	6

## Responses

There was initially a slow uptake for the survey so it was agreed to extend it for a further month until the end of September 2015. In total, representatives from 13 of the 19 schools responded (68.4%).

There were six schools that did not respond (31.6%), despite reminders being sent.

## Survey Introduction

The introduction to the survey outlined the purpose and scope of the survey.

CSWEANZ survey on behalf of the fit-and-proper working group is being conducted to:

1. Gain a picture of the processes that schools of social work currently use in selection processes and declining applications, as well as ongoing assessment of fit and proper criteria within programmes;
2. Identify the fit and proper issues that emerge for schools of social work;
3. Assist in the preparation of a report for CSWEANZ that will enable Schools to develop a shared understanding of the issues and to participate and contribute to national debate and development.

## Survey Structure

Part One of the survey relates to the process of assessing fit and proper criteria on selection of candidates.

Part Two identifies the formal processes your institute engages in throughout the four years of the social work programme to manage academic performance and disciplinary processes.

Part Three examines the embedded processes of assessment for fit and proper criteria used within the degree

## Survey Questions

1. Does marketing material for your degree mention the criteria required for admission to a Social Work programme?
2. Do fit and proper criteria come up in the application process?
3. How is fit and proper proficiency assessed during your selection processes?
4. What kinds of offers can be made within your programme?
5. What is the approximate number and percentage of applications that are declined for fit and proper reasons?
6. What are the reasons that you would refer to another programme?
7. What are the challenges you expect to encounter in terms of fit and proper criteria?
8. Do you have any other comments with regard to the assessment of fit and proper criteria during the selection process?
9. Are police checks carried out on students in all years of your social work programme?
10. Which formal processes do you engage in throughout the social work programme in reference to fit and proper criteria?
11. What is the make-up of your formal committees in terms of number, specialisation and ethnicity?
12. How do you measure academic performance?
13. Would you please expand on your disciplinary processes, e.g. academic integrity (plagiarism), Kaupapa Māori processes?

14. Do you have a resubmit process and cultural support?
15. What are the exclusion processes that are used throughout the programme?
16. What is your fieldwork placement screening process?
17. How is English language proficiency assessed?
18. Please identify the type of student concerns you deal with.
19. What is the philosophy of the programme regarding fit and proper criteria?
20. How is fit and proper criteria assessed throughout the programme?
21. How do you develop professional identity?

## Findings:

### Part One: Process for assessing fit and proper criteria on selection of candidates.

**Question 1: Does marketing material for your degree mention the criteria required for admission to a Social Work programme?**

12 of the 13 schools agreed that their marketing material mentioned the fit and proper criteria for admission.

Table 2

*Criteria Required for Admission*

Answer Choices	Responses
Yes	92.31% 12
No	7.69% 1
Total	13

**Question 2: Do fit and proper criteria come up in the application process?**

12 of the 13 schools have fit and proper criteria in the application process. Six schools expected students to make a statement about convictions and fitness to practice on the application. This is then followed up at interview. Two schools send the SWRB's Fit and Proper Person Policy with application material which potential students are expected to read before completing the forms. The applicants then attend an orienteering and selection workshop where issues around suitability for social work are explored. After the workshop, some students are asked back for an individual interview should any flags be raised about suitability. Applicants also require a police check and no decisions are made about acceptance until this has been done.

Table 3

*Fit and Proper Criteria in Application Process*

Answer Choices	Responses
Yes	92.31% 12
No	7.69% 1
Total	13

The comments<sup>1</sup> from twelve schools are as follows:

- Yes, in application students must make a statement about convictions and fitness to practice.
- In discussion with candidates during interview. For 'in house' applicants, students looking to pathway from Certificate to Degree, fit and proper is discussed as part of Certificate course content and as part of pathway information hui.
- The applicants are sent a copy of the SWRB's Fit and Proper Person Policy with their application material. They are asked to read this policy before completing their application form and attending the orientation and selection workshop. This workshop includes several activities which require students to explore issues around suitability to the profession. We use some very straightforward case studies to generate debate regarding fitness for the profession. We also break in to small groups towards the end of the workshop and discuss what fitness means to them individually. Finally, their questionnaire includes a section which relates specifically to the Policy. Some students are also asked to attend an individual interview after this group selection workshop should the Social Work lecturing staff hold any concerns requiring additional exploration. Applicants are also required to complete a Police Check consent form and no decisions will be made regarding acceptance until this Police Check is returned.
- Admission requirements are outlined on our website.
- In application form; assessed as part of interview process; referees reports.
- Fit and Proper has its own section in the application form and discussed at the interview.
- At selection, students must supply Police Check, personal profile statement and many are interviewed. Each of these contributes to a judgement around 'fit and proper'.
- It is included in the application pack that is sent to students under entry requirements and is also discussed at the interview.
- On application, potential students make a declaration on their fit and proper status with regard convictions in NZ or overseas, orders, disciplinary procedures, health issues including addictions and mental health status, contact with CYF. Potential students also declare they have read the SWRB Fit and Proper Policy to be a registered social worker. Potential students also agree to a Police vetting check on application to the programme.
- In the application they are asked if they have any criminal convictions. In the interview (each applicant is interviewed) they are asked again if they have any criminal convictions, and to explain what they are if they do. The applicants then complete a Police Check. If they have a criminal conviction but we accept them on to the programme they sign a disclaimer acknowledging finding placements may be difficult and we do not guarantee that SWRB will register them.
- We don't inform them of the Fit and Proper Policy at the application process, but we inform tauira (students) of various points that align with the policy e.g. we inform them of the fundamental underpinning philosophy which is informed from a Te Ao Māori perspective. They know the programme is one where police vetting occurs at every level of the programme. This has been at the application process end of the programme and full enrolment is dependent on the results of the police vet. From 2016 we are looking to change

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<sup>1</sup> All reported comments have been taken verbatim and have not been edited for this report.

the time of the year that this occurs given the issues we had with Police Vetting Organisation this year.

- As part of assessment to assist the interview panel in their decision making to accept or not accept an applicant. Also re continued enrolment of a student.

### Question 3: How is fit and proper proficiency assessed during your selection processes?

All 13 respondents included police check, interview and declaration re convictions in their selection process (100%). 12 included references (92.31%), 11 driver's license and IELTS requirements (84.63%); 10 set a written task (76.92%); 9 a health declaration (69.23%); 7 English language proficiency and other conditions (which are outlined below) (53.85%); 6 included a history of drug and/or alcohol abuse and computer skills (46.15%); and 3 included a group process (23.08%).

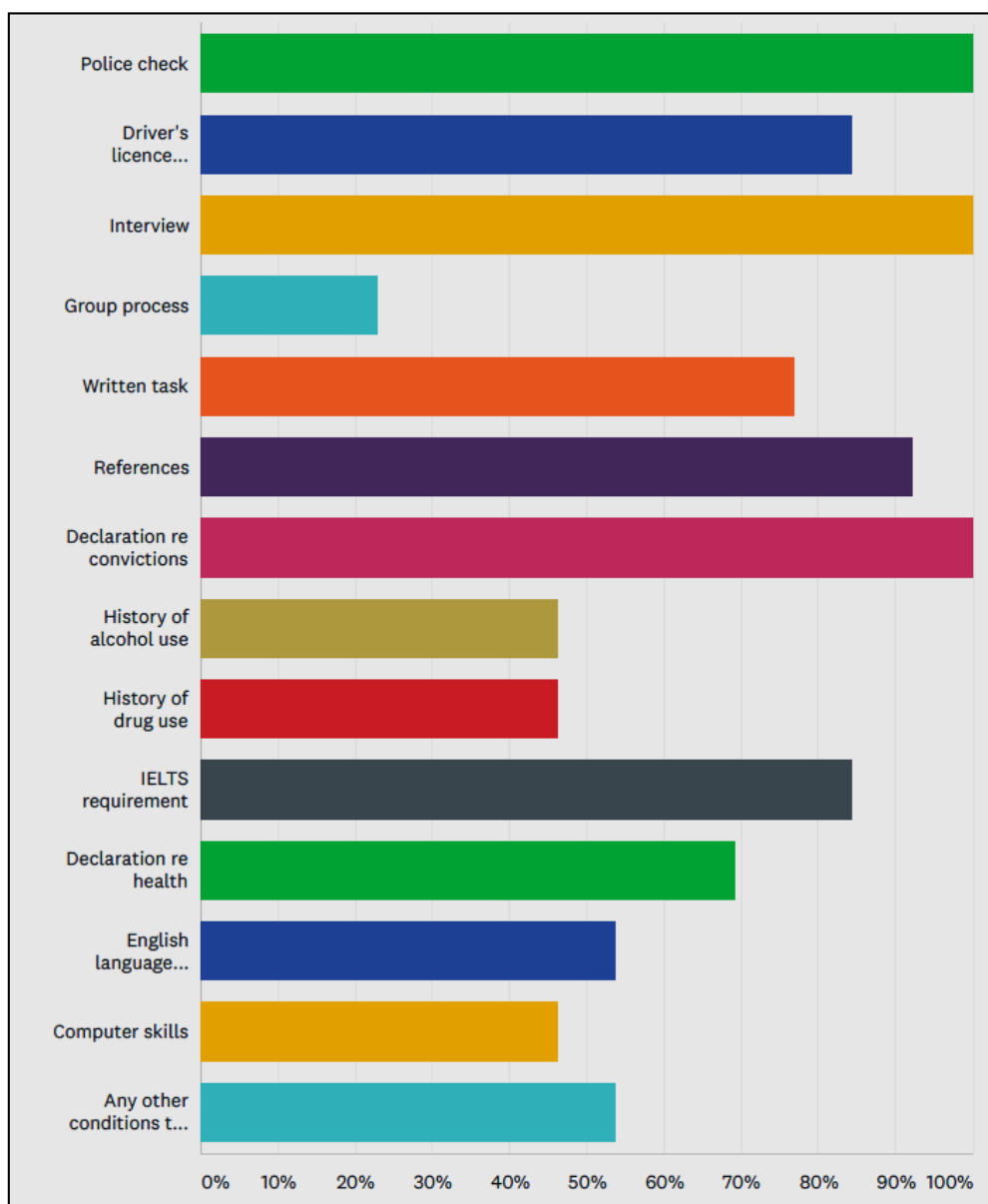


Figure 1. Assessment of Fit and Proper Proficiency during Selection Process.

The 7 comments on any other conditions included:

- We are currently revamping our processes in order to meet requirements of Vulnerable Children's Act.
- There is not a "declaration" re health, there is however discussion around managing the stress of study, the profession and wellbeing.
- IELTS requirements are only for international students. English language proficiency is assessed by a written task at selection. Any other conditions - we cover a broad range of issues of readiness at selection such as finances, time required, disabilities, how long ago the student last studied. Alcohol and drug use come under a broad health assessment question.
- Disability.
- We ask for references, but these do not specifically speak to a person's fit and proper requirements.
- In the new degree we will be indicating to them at point of entry that they need a driver's license and that if they don't have one they have until the time they go on placement to acquire one.
- If significant time has lapsed since the applicant's last study a written task may be required. As well, whether a student has employment and the balance between work, person and study. Should an applicant have a police record, the committee will consider the severity of the offence and how recent it was.

#### Question 4: What kinds of offers can be made within your programme?

Ten schools answered this question; however, the drop down list on the survey would only allow one answer to be recorded so the respondents used the comments option to elaborate. The options were deny/decline, offer, conditional offer or refer to another programme.

Seven schools mentioned in the comments section that they used all four options from the answer choices depending on the situation. One school said they used the first three options of decline, offer and conditional offer, but never referred to another programme. One institute did refer to another programme either within the institute or beyond. One school added 'We have provisional taura until they are able to fully meet all of the criteria in some manner. When they are not suitable for our programme or we only have a limited number of positions and they do not get in for some reason, we attempt to indicate other possible options that they might want to consider'. One school made only conditional offers until all references and checks had been confirmed.



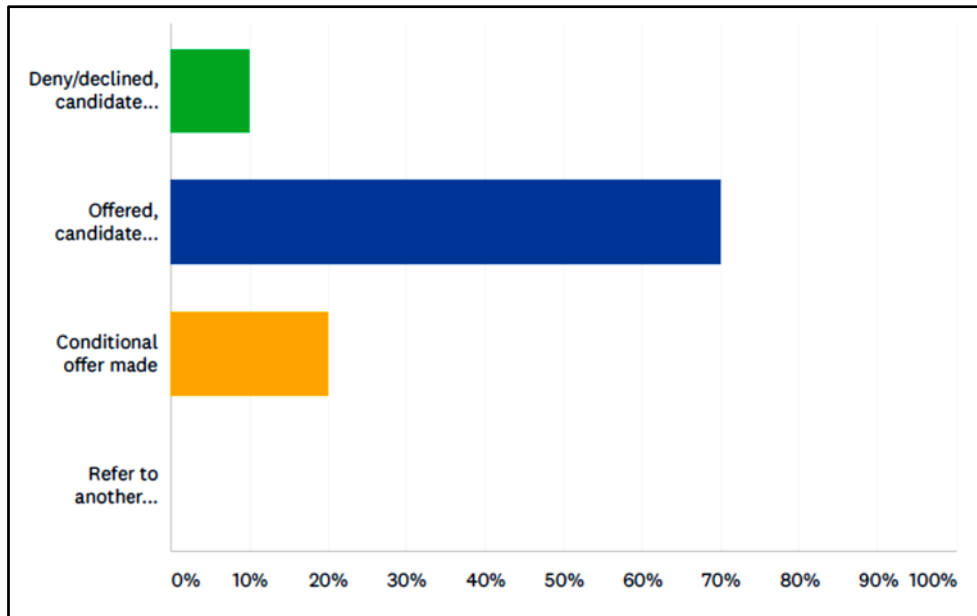


Figure 2. Offers made within programme.

ANSWER CHOICES	RESPONSES
Deny/declined, candidate unsuitable	10.00%
Offered, candidate suitable	70.00%
Conditional offer made	20.00%
Refer to another programme	0.00%
<b>TOTAL</b>	

**Question 5: What is the approximate number and percentage of applications that are declined for fit and proper reasons?**

All 13 schools responded to this question. The average rate of decline across all programmes response is 6.85%. However the average is raised because one school reportedly denied 16% of applicants. If this school is removed, the average figure reduces to 5.8%. One school commented that in 2015 they declined 4 applications based on convictions which were within the last decade and/or deemed serious according to the Fit and Proper Person Policy (e.g. grievous bodily harm). Another noted that in many cases people choose to meet with the Programme Director or Leader before putting in their application. This school explained that the meeting may then result in the applicant not proceeding with their application, and for those who do; around one in 50 is declined. One school explained that they weren't sure of the figures because their course is run on multiple sites and they didn't have all of the site data.

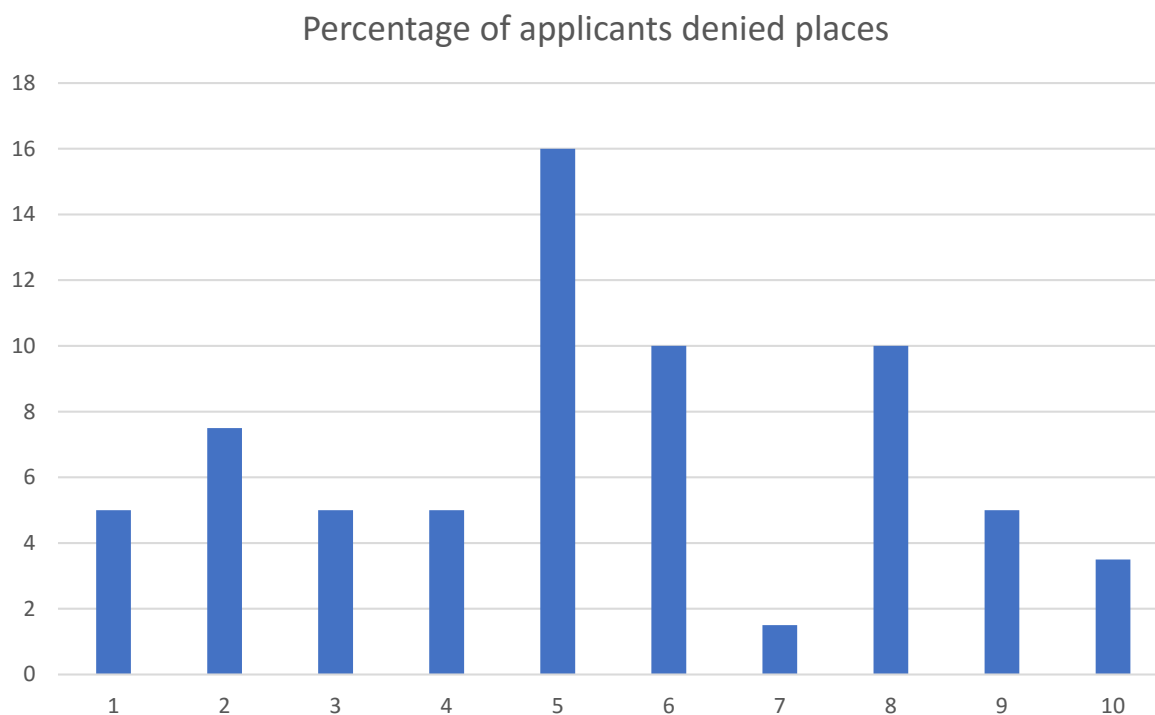


Figure 3. Percentage of Applicants Denied Places.

#### Question 6: What are the reasons that you would refer to another programme?

All 13 schools answered this question. The main themes identified from these answers are

- The student does not meet fit and proper criteria;
- The student is not ready personally or academically;
- Another institute/course might be more suitable for the student;
- May feel that social work as a profession is not one that would suit the student.

There were a number of reasons identified in their answers, which were as follows:

- We wouldn't, we would refer to another field of study usually due to no driving licence or convictions.
- Maintain candidate in education and refer to related occupation enabling them to gain time and positive activity post offence.
- Student may be refused entry to placements.
- Referred if literacy/academic skills are not at the appropriate level, e.g. referred up to Masters, or to pathway courses and certificate at level 3-4.
- If not ready for degree level study, refer to pathway, or unable to gain registration due to fit and proper issues, refer to non-registerable degree.
- Not meeting academic standards, entry criteria, or not eligible for registration due to criminal or other activity.

- Mainly academic suitability or recent conviction.
- Not fit and proper, not ready, we don't refer them to other SW programmes.
- We don't refer to another Social Work programme if we thought they were not fit and proper but may suggest other professions.
- Convictions, orders, addiction, health issues.
- There are no other appropriate programmes at our institution that we could refer to. Wouldn't refer them to another Social Work programme but have been told that they got into other Social Work programmes after we declined them.
- They sometimes tell us they have applied to other institutes and we may suggest that another place may be more suitable for them.
- Insufficient academic preparation for degree level study may suit another profession, i.e. not good with people or does not support social justice.

### Question 7: What are the challenges you expect to encounter in terms of fit and proper criteria?

All 13 respondents answered this question. The main themes identified from these responses are:

- Securing placements for people with convictions;
- Mental health issues;
- Drug and alcohol histories;
- Competing tensions between embracing diversity and gatekeeping;
- Applicant is promising, but from a strict SWRB perspective may not be registerable;
- Finding out after accepting an applicant, that they do not meet fit and proper criteria, issues with removing them, eligibility for registration and fear of litigation.
- The potential for individual change through education.

The comments the respondents made were as follows:

- The role that previous convictions play in terms of placement, registration and now the Vulnerable Children's Act. For people who have drug and alcohol histories, how long is long enough in terms of being in recovery? The intermittent nature of mental health issues.
- Risk for client group, profession, and the student themselves versus potential student opportunity to change, grow and contribute to profession. Risk of litigation from student in case of process. Awareness of social justice issues around applicants who are Māori or other ethnic minorities and criminal convictions statistics.
- Wanting to be able to engage with candidates in a positive way, so that they can complete a journey in which they turn their lives around.
- The majority of our potential students will not be able to enrol into our Poutuarongo Toiora Whānau degree programme because they will not meet the criteria.
- The competing tensions between embracing diversity and gatekeeping. We are veering towards the gatekeeping / public protection end of this debate and are finding challenges in

communicating this with applicants who insist they are on the right track now. Many probably are but we are erring on the side of caution. We are also feeling some pressure between institutional expediency (EFTS!) and suitability to the profession. Again, we are erring on the side of caution.

- Appeals by unsuccessful applicants. The grey area where from an education perspective an applicant is promising, but from a strict SWRB perspective they may not be registerable.
- Lessen diversity of student body. Challenge from student re views in terms of recovery/second chance for people.
- Hard to assess for mental health if the person is unaware or feel they have it under control at time of application.
- Making judgements on 'the cusp' eg. if there is information in the police report that did not result in a conviction. In that case, the person may not have even done it (presumption of innocence etc), on the other hand they may have and we should exclude them.
- That fit and proper criteria can be difficult to define and give evidence of, especially at the beginning of journey with students.
- SWRB expecting us to enforce the criteria, but not making it really clear what the criteria are. It is much harder to measure criteria outside of convictions.
- There are two challenges that we have encountered to date. One is the philosophy of our organisation around whanau transformation through education which accepts that change can occur for individuals. We have some good examples of that even if they may not entirely fit into fit and proper. In such cases we have sought the advice of SWRB, while also trying to align these decisions within our programme. The other is the organisation's perception that an academic pass is what allows a taura to move from one year to the next, when the programme itself believes that they may not entirely be fit and proper for the programme for one reason or the other. In the new degree we have looked at the development of a tool which will incorporate fit and proper and be used as a part of the decision making about a taura ability to move from one year to the next.
- Applicant is new and need to allow a person time to grow and learn into being fit and proper.

#### Question 8: Do you have any other comments with regard to the assessment of fit and proper criteria during the selection process?

Nine of the 13 schools responded to this question. The main themes identified from these responses are:

- Changing interview criteria in that not all candidates will be interviewed.
- Concern about limiting the scope of the profession.
- Assessment of fit and proper criteria during selection will exclude potential students who may become good practitioners.
- Attitudinal fit and proper not adequately assessed and difficult to do so.
- Lack of time and funding to adequately assess and manage fit and proper criteria.
- SWRB has been helpful when questioned about individual situations.

- Fit and proper assessment should be an ongoing process throughout the programme.
- Fit and proper is only one of a number of guidelines for selection.

The individual comments were as follows:

- We are moving away from compulsory interviews for all people and are in the process of determining the criteria whereby we will interview e.g. School leavers who meet NCEA requirements who raise no "red flags" in terms of convictions, references etc. will likely not be interviewed.
- If managed as is currently happening, we will end up with a profession in which there is limited scope, to include the range of people we now do, those who have turned their lives around. VCA, linked to funding of services will create a white, middle class ( not charged!) profession
- The assessment of fit and proper criteria during the selection process will exclude over 50% of our potential student numbers.
- Don't want to eliminate potentially great practitioners but also be realistic and safe about registration and employment options for candidates. Moral obligation as educators to support students and as social workers to believe in power of individuals' transformation, also problem of Māori and Pacific Islanders having disproportionate numbers of convictions anyway.
- Does not adequately assess attitudinal 'fit and proper', acknowledge very hard to do this.
- Issues regarding assessing & managing fit and proper discussions and decisions are time intensive in academic environment where we are not funded to do this.
- In recent times I have successfully contacted the SWRB and given them specific information (the nature of the offence and the conviction) and they have indicated whether or not they think it's likely that the person would be able to be registered after they complete their study. They have provided a very clear, helpful response. This is much more useful than the "can't say" that we used to receive and we have made our decisions accordingly.
- We use more than what is required in fit and proper to decide who can come into our programme. Fit and proper is only one of a number of guides.
- Useful to consider at the end of each year of study.

## Part Two: The formal processes Institutes engage in throughout the four years of the social work programme to manage academic performance and disciplinary processes.

### Question 9: Are police checks carried out on students in all years of your social work programme?

Eight schools do police checks in all years of the social work programme (61.54%); five do not (38.46%), however please see the comments below for clarification:

- Police checks occur on admission, in 3rd and 4th years of BSW. For MSWP they occur on admission, and prior to first and second placements (so yes, in both years).
- At application and third and fourth years due to placement.
- All our years have placement thus all years.
- We do a new Police vet at entry, start of level 6 when they go out on volunteer experience, and for the two placements: end of L6 and end of L7.
- We only select into year three, before this they are not considered to be in the programme. They are checked at selection then again in year 4 before their second placement.
- Year 1 - done as part of application process; Year 2 - not done; Year 3 - done prior to placement; Year 4 - done prior to placement. Also if a student defers study for 12 months we require another check before they return.
- All students have a police check prior to being accepted onto the BSW programme (Usually prior to Year 1 but it could be prior to Year 2 or prior to Year 3) and again prior to commencing placement in the middle of Year 3 and the middle of Year 4.
- When they first enter the programme, and then if a placement agency requires it.

### Question 10: Which formal processes do you engage in throughout the social work programme in reference to fit and proper criteria?

Fieldwork placement is seen as the primary process for assessing fit and proper (13 = 100%); followed by disciplinary processes (11 = 84.62%); Orientation (10 = 76.92%); Student handbook, Academic performance, Tracking process for Student concerns (9 = 69.23%); Exclusion Process (8 = 61.54%); Formal committees, Course book; Co and pre requisite papers (6 = 46.15%); and English language proficiency (5 = 38.46%). Four schools commented:

- Some of these are done on case by case basis.
- Currently introducing a more formal review and exclusion policy to deal with long interruptions to study, new convictions, failure of placement or other concerns.
- We have a 'reselection process' at the end of Year 1 and the end of Year 2 that looks at the idea of fit and proper, especially focusing on our graduate profile.
- We have introduced a culturally relevant tool which considers the mauri ora of a person. We use this tool in order to ensure that the mana of the taurira is maintained, which allows them

to self-assess their progress, which can also be used as a guide to an interview that happens at the end of year 1, 2, 3 and 4 of the programme about the taura suitability to progress in the programme or graduate from the programme. This is new and we will be implementing it for the first time in 2016.

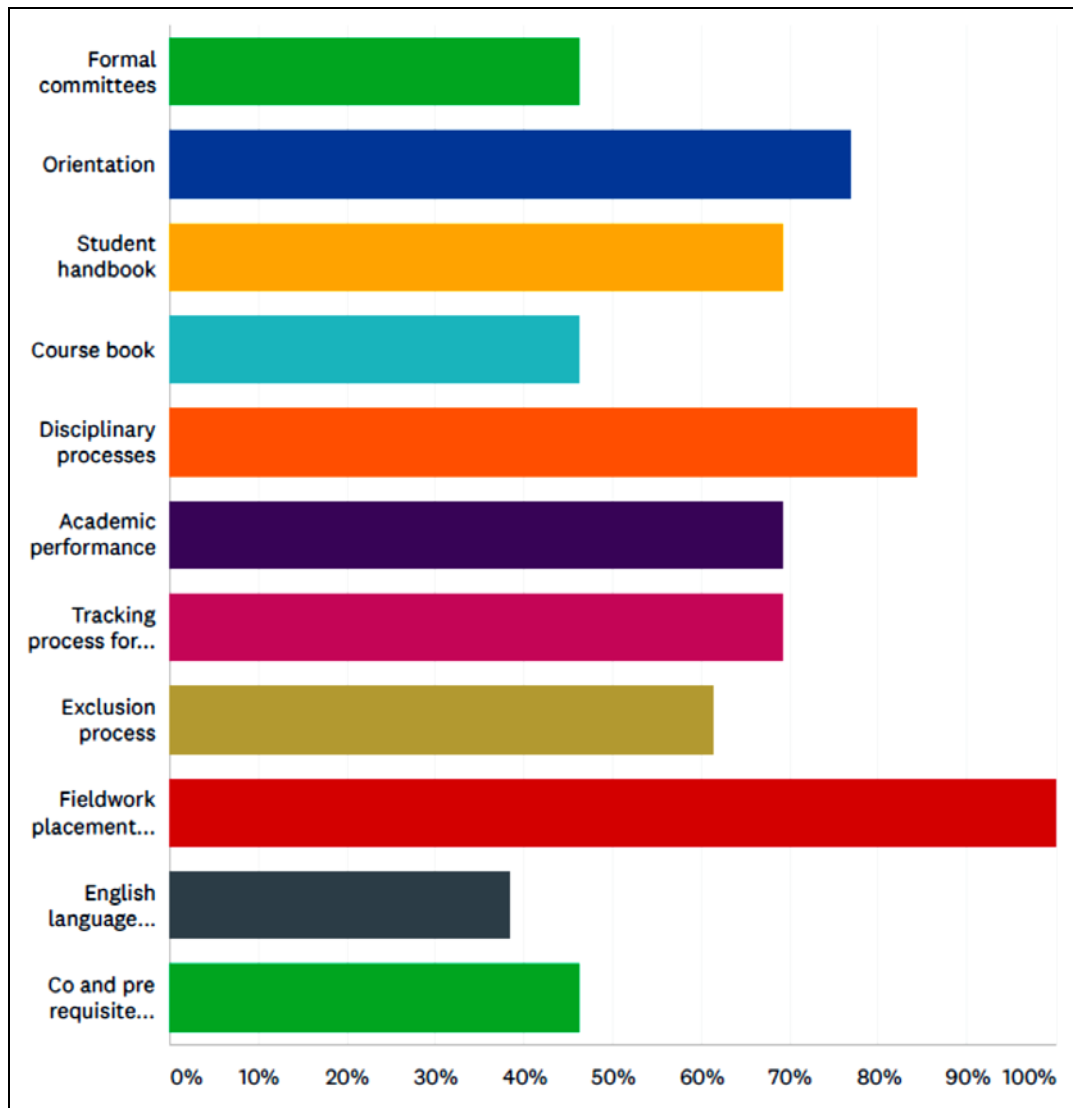


Figure 4. Formal Processes used Regarding Fit and Proper Criteria.

**Question 11: What is the make-up of your formal committees in terms of number, specialisation and ethnicity?**

Ten of the 13 schools answered this question. Two schools do not have a formal committee, seven have a diverse formal committee structure that consist of members of the academic team, fieldwork teams, programme and academic leaders, programme directors or heads of school and student representatives. Five schools noted that their academic committees are ethnically diverse and each of them also noted that they ensure participation of Māori Kaiarahi on the committee. Individual responses are noted below:

- Not sure what formal committee relates to.
- We don't have a formal committee.
- At least 2 Social Work Unit lecturers, plus Placement Coordinator, plus Learning Advisor where relevant. We are also giving consideration to consulting with the LAC where we require an additional practice perspective although we are very aware of the issues around confidentiality / anonymity. It is very much an idea at this stage. It may not come to pass.
- Departmental programme committee has 10 members including 2 student reps, a range of staff covering community development and Social Work specialties, fieldwork, degree year leaders, a range of ethnicities.
- Selection committees are comprised of academics, community Social Work rep, Māori rep.
- Whole Social Work and Counselling Cluster makes our Board of Examiners (12 staff, 5 social work, 6 counselling, 1 Tangata Tiriti Educator), NZ European, European, Māori, African. Academic Board (6 members, counselling, education, social work, student rep, staff rep)
- Full BSW programme Team - 5 members, 3 women, 2 men, 1 Māori, 1 Indian
- Police vetting: Kaiarataki (placement coordinator), Kaiako Matua (manager), Kaiarataki Ako (Educational Lead) If there are reviews or concerns then the application can be sent to Head Office where a combination of the Kaiarahi (National Programme Manager), Kaiarataki Ako from the site and the policies lead will consider such applications. The organisation does not choose these committees on ethnicity but on role. Having said this most of our staff are Māori or Tangata Pasifika
- 3 persons, two social work professionals and one other from within the faculty.

### Question 12: How do you measure academic performance?

All 13 schools responded. In summary, all schools have some sort of achievement based course assessment, including role plays, examinations, tests, presentations, essays, case studies, court reports, participation and attendance. There are also competency based achievement including skills groups, placements, participation and attendance as well as grade points average. Four schools have a form of committee or regular meeting to assess student academic performance, student progression, suitability for practice and students of concern.

- Success through the enrolment process, attendance and participation at noho, successful completion of course assessments and work placements.
- Through assessment of assignments, role plays, tests, exams, case studies.
- Retention and success rates.
- We have recently drafted a rubric for evaluating readiness to progress through the programme which includes academic performance. We will consider attendance, engagement, resubmission rates, use of Turnitin<sup>2</sup>, use of extensions (patterns / frequency),

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<sup>2</sup> Turnitin is an online software programme that checks student writing for grammar and plagiarism.



incorporation of feedback in subsequent assessments, use of Learning Advisor when recommended.

- Grades - theory, skills and practice assessment; participation requirements, and course coordinators meetings re students of concern.
- Assessments, both formative and summative.
- We have a monthly programme meeting where we discuss students of interest. Students failing to meet pass rates or just getting through but not improving.
- Average of paper grades.
- Assignments (a range from essays, reports and case noting to presentations, recording of skills work and placement portfolios).
- Grades, classroom participation and reflection, attendance.
- Achievement based through a variety of assessment process.
- We have a grading system. The tauira have a grading sheet which is attached to each assessment. We have an internal and external moderation schedule to ensure consistency across sites.
- Graded assignments - referencing, academic scholarship, critical thinking.

**Question 13: Would you please expand on your disciplinary processes, e.g. academic integrity (plagiarism), Kaupapa Māori processes?**

Twelve schools responded to this question. In summary, five schools have either a specific kaupapa Māori process, or Māori advisors who are involved or consulted in relation to disciplinary processes. Eleven schools mentioned a clear academic process that locates disciplinary processes under an institute wide policy. Plagiarism processes mentioned by seven schools, three of which indicated that this is determined by the use of Turnitin. One school noted that they do not regard plagiarism as a 'fit and proper' issue. Individual responses are noted below:

- The University has a clear process for academic integrity. It does not have a specific kaupapa Māori process.
- Plagiarism - use of Turnitin; Students fall under institutional comments and complaints process.
- The Faculty's Learning Advisor has built an academic skills package for Semester 1 of Year 1 which includes a huge focus on plagiarism / Turnitin. All assessments must go through Turnitin before they are marked, no exception. Plagiarism policy / disciplinary process clearly outlined in the student handbook.
- Standardised institute wide academic integrity requirements, also kaupapa Māori processes for assignment writing in te reo, and conflict resolution and consultation.
- Policies: Academic misconduct re plagiarism, cheating etc; academic support and progression policy and probation; student rights and responsibilities, others may also be relevant i.e. Fraud policy, copyright policy.

- Zero tolerance policy on Plagiarism, automatically sent to the Academic Registrar.
- Plagiarism policy is in place in the wider University. Not considered a 'fit and proper' issue.
- Any process in terms of disciplinary processes includes both or either our key Māori Support Services person and Kaumatua. The process moves upwards from educators or fieldwork educators to programme coordinator, associate dean, dean and final decisions made by academic board.
- Academic Integrity: All written assignments go through Turnitin. Students who have a high similarity report are referred to the University Disciplinary Committee. Genuine learning mistakes may be managed at a Social Work Programme level. Kaupapa Māori support provided via on-campus Māori Student Support Services; BSW team members liaise closely with Māori Student Support Services to ensure Māori BSW students have needs met.
- The student would meet with the Site Manager (we are a small IPT that teaches a larger IPT's degree) and if necessary refer this to the Degree Manager, who would liaise with the head of faculty. I'm not sure what is meant by Kaupapa Māori processes. We have Māori cultural support available .
- We use Turnitin as a tool to assess plagiarism and then have a policy to assist when plagiarism is found. We have a committee on each site which comprises of middle management if disciplinary processes/complaints are required. All sites know that they can refer to the Kaiarahi (programme manager) and the policy lead if they have concerns or questions around any case. Kaupapa Māori is used in all of our processes. We have some underpinning values, informed from a kaupapa Māori perspective that are used in all of our policies and processes.
- Caution for minor and first offences (for want of a better word) - discussion with social work leader/noted on student file; referral to faculty disciplinary committee (dean and academic leader from with faculty) and/or full expulsion.

#### Question 14: Do you have a resubmit process, and if so, does it include cultural support?

All 13 schools responded – 10 have a resubmit process and 3 do not. Those that do not however, have alternatives in place, e.g. practicum and role plays allow for additional tasks to be undertaken to meet course objectives and cultural support is encouraged if required. Students can also access additional support from the student success team and Māori, Pacific, Asian and international cultural support is available or encouraged in 7 schools. For those that do have a resubmit process, one has a resubmit process for the first two assignments in the course, not the final one. For courses with exams, these can be retaken.

#### Question 15: What are the exclusion processes that are used throughout the programme?

All schools have some sort of exclusion process, which may include behavioural concerns, pre-practicum interviews, pre-requisites not being met and failing more than half of their courses. Students who do not meet fit and proper criteria are counselled out. There may be probation for

students with set criteria to be achieved along with plans to change, academic management and a formal academic contract. Their individual comments were as follows:

- Not sure what this question relates to.
- Admission, academic failure, concerns regarding behaviours, pre practicum interviews.
- Taken directly from institutional processes and, will engage with students re counselling if "fit and proper" from a professional stand point is not being met.
- We have had a small number of students who we have counselled out of placement for various reasons (mental or physical health, family responsibilities, poor attendance in class). This has been an informal process to date but we expect our matrix for evaluating progression through the BSW to formalise this. Students must pass pre-requisites to progress, some have not done this so are juggling level 5 and level 6 papers for example.
- Failing more than 50% of courses, discussion occurs re possible exclusion. Plans put in place to improve pass rate, if these do not work, students may be excluded.
- Exclusion policy; academic support and progression involves developing monitoring and support plan, if not sufficient Formal Academic Contract, if not adhered or met exclusion possible; Also putting student on probation in relation to behavioural issues, if not adhered to exclusion. For issues of serious conduct exclusion is possible i.e. violence, if found to have lied in application.
- Conviction gained throughout degree.
- Problems with failure of papers or new convictions etc will result in a panel considering the issues, can result in exclusion or requirements to continue (such as counselling etc).
- Any exclusion would go through a studentship review process with the opportunity (if appropriate) to work on a plan of change, if any students are excluded this is the decision of the Academic Board.
- Students are excluded if they do not meet on-going fit & proper checks or if they fail papers more than twice, then re-entry is by negotiation. Issues surrounding exclusion are dealt with on a case-by-case basis with the full team and the Chair of Social Sciences considering & contributing to the decision
- Students may be put on academic management if they fail a course too many times - If students breach the local IPT's code of conduct they will meet without IPT Head of Faculty. If they breach academic regulations the Head of Faculty where the degree is owned will make a decision about screening them.
- Generally in the first instance they are academic.
- We try not to focus on exclusion processes, often students will self-select 'out'.

#### Question 16: What is your fieldwork placement screening process?

Two schools use a fieldwork placement coordinator to assess 'the right fit' of students with agencies. Nine use a pre-practicum interview or meeting or evaluation of readiness for practice. Six used police check. Four use an updated curriculum vitae or profile. Six use pre-requisites such as skills

classes and one uses a signed disclosure statement from the student about any identified physical or mental health concerns. One has developed a matrix for evaluating readiness to progress which includes a number of items as described below.

- We have a fieldwork placement co-ordinator who works with students and organisations on the right fit.
- Meet with practicum team for meeting prior to placement to determine best fit. Police check, must pass role play assessment in pre requisite paper. Must meet prerequisite paper requirements.
- Pre requisites - all papers leading up to practicum have to be passed, this includes Theory and Skills. Students provide updated CV Students required to attend pre practicum interview.
- Again this is now formalised in our Matrix for Evaluating Readiness to Progress. This includes; Stress management Timeliness Hygiene and presentation Absenteeism Adapting to change Motivation Capacity and willingness to reflect on, and incorporate feedback Problem solving Emotional health Self-confidence, Self-care, Self-awareness. Ability to transfer learning from class to agency setting. Self-management, Relational capacity, Effective and sensitive communication, Demonstrate willingness to seek advice / guidance where appropriate. Ethics and ethical decision making .Legal framework in decision making. Shows respect for other cultures. Boundaries, Attendance at, and preparation for, clinical supervision. Attendance at and preparation for placement tutorials. Confidentiality of placement / client information.
- Police check, profile preparation, interview.
- Staff team discussion; student interview with placement agency.
- A pre placement form.
- Students must pass the pre requisite paper that includes a practice test of interview skills etc; pre-placement interview; matching procedure.
- Interview with Fieldwork Placement Coordinator, Police Check and signed statement that includes any areas of mental, physical health that need to be identified.
- Police check, Curriculum Vitae, Meet all the pre-requisites including skills assessment, Full driver's licence unless there is a health reason for this not being possible, Full BSW Team discussion on student readiness for placement.
- Each student has a meeting with a placement tutor.
- Police vetting. SWRB Practicum Policy. 1-1 interviews with taura Interviews and CVs in some instances between taura and organisation.
- Personal/professional knowledge of fieldwork placement organisation and their staff. Police vetting and suitability of student based on observations, class work and feedback from practice skills paper.

## Question 17: How is English language proficiency assessed?

11 of the 12 respondent schools used IELTS on admission for international students and for those students who did not graduate from High School or from a degree where English was the main level of instruction. 3 used an interview process as well and four required written work on application.

- The enrolment process allows us to assess English language proficiency. A 300 word proposal is required and on receipt of the proposal students are interviewed.
- IELTS<sup>3</sup> on admission for international students. Otherwise not formally assessed.
- IELTS testing.
- International students do IELTS, otherwise tested at selection day through writing and talking processes.
- If English is a second language, in the application form students must show proof of one of the following: A minimum score of 550 in TOEFL<sup>4</sup>; or A minimum grade of 6.5 in all categories of the academic IELTS test; or Passes in other recognised English proficiency tests subject to the Academic Registrar's discretion; or Evidence of successful study at another New Zealand tertiary institution.
- IELTS, Written Work at application & spoken language at interview.
- IELTS - Through FASS<sup>5</sup> University Admissions.
- IELTS is required if the student did not graduate from a High School or from a degree where English was the main level of instruction.
- IELTS Written piece at point of entry.
- IELTS; level and standard of qualifications prior to study with us, interview.

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<sup>3</sup> IELTS is a task based test for assessment of English language proficiency, includes listening, reading, writing and speaking ([www.ielts.org](http://www.ielts.org), accessed 16/11/17).

<sup>4</sup> TOEFL is similar to IELTS but tests English language understanding at a tertiary level.

<sup>5</sup> FASS – Faculty of Arts and Social Sciences.

Question 18: Please identify the type of student concerns you deal with.

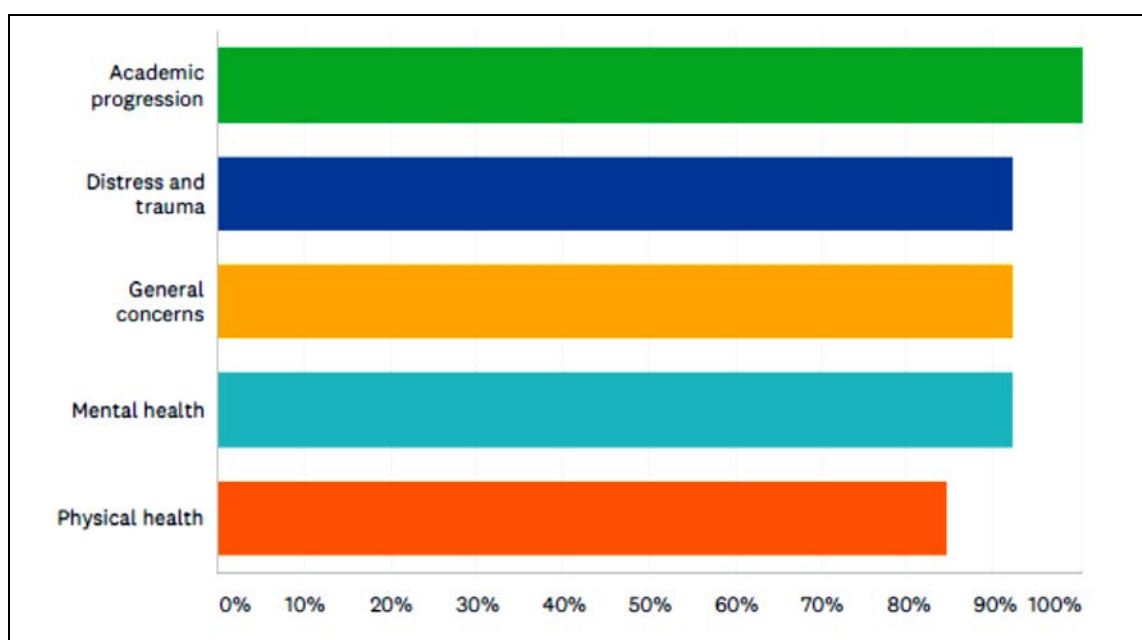


Figure 5. Type of Student Concerns.

All 13 schools identified academic progression as the most common type of student concern they deal with, followed by distress and trauma, general concerns and mental health (12 – 92.31%), and lastly physical health concerns (11 – 84.62%). All schools have very clear policies and processes with which to manage student concerns.

- Referral largely, to Learning Advisor, counselling, nurse etc.
- Our student cohort has many challenges, all of the above! requiring a lot of pastoral care and academic support.
- Not clear about this question; institute has very clear policies to follow regarding student support and processes. Team communicates well over these issues.
- Refer to Learning Centre, Doctor, Specific course leader or Māori office.
- Academic progress requires that students pass more than half their course or else they are stood down. Students are regularly referred to student counselling service, or advised to see a BSW coordinator if they have serious health issues affecting their performance.
- Each Year group has a Year Group Coordinator that is the 'pastoral' care person for that group of students. They are available when students require them, and also make meetings with students where there are concerns. Staff feed back to them about students and students with concerns are discussed within the social work team in terms of needs, concerns and support processes. Anything needing escalating comes to the Programme Coordinator and if necessary goes to the Associate Dean and then to the Dean.
- At least two staff members of the programme meet with the student (and their support people) to discuss the issue. The full BSW Team is informed and decisions are made collectively.

- Each student has a year co-ordinator who provides pastoral care to them. The co-ordinator will then share information with the social work educators as appropriate. When appropriate the co-ordinator will make referrals to learning support, counselling, the chaplain or the Māori and Pasifika support person.
- In the first instance they are generally addressed by the kaiako, but student services support will also be brought in if the issue progresses. There are a full range of support services for these situations. Plans are developed to ensure that taura is supported, is able to continue in the programme or exits the programme.
- Tutor will raise the concern with the student and ascertain from the student what type of assistance they may want. 2. Develop a plan of actions with timeline (personal and school). Note the plan on the student's file and present the plan to social work staff meeting - re other tutor support and to identify whether concern impacts on other papers. 3. Review plan, re-set plan or raise concerns with Social Work Leader to review and discuss with the student. 4. Leader to consider with student options forward. Options may include, exit or pause programme of study until concern removed.

### Part Three: The embedded processes of assessment for fit and proper criteria used within the degree.

#### Question 19: What is the philosophy of the programme regarding fit and proper criteria?

Twelve schools responded to this question. Overall, the schools include fit and proper criteria throughout their programmes, believing that lecturing staff should model fit and proper in the first instance. Three respondents indicated that the SWRB's criteria around fit and proper is 'out of step with the principles of social justice', does not 'provide an adequate cultural perspective' and is 'unnecessarily dogmatic', it is 'not straightforward'.

- We don't specifically address fit and proper criteria.
- There are some varying positions between staff members. We generally are quite strict on admission and do not admit if not likely to meet SWRB criteria. We also alert any potential candidates about repercussions of previous charges etc. if we feel they can be admitted but charges may get in the way of placement or career possibilities.
- Students have to demonstrate an awareness and willingness to work towards fit and proper criteria.
- We believe we (lecturing staff) must model fit and proper in the first instance. We are also mindful of the transformative nature of education, and especially social work education. So we seek clarity regarding incidents / behaviours / comments etc that may be useful fodder for regarding fitness. We are currently debating where we draw a line between unready and unsuitable. Not straightforward!
- Programme to be clear with students about the importance of discussing any fit and proper type issues, invite student responsibility to manage.
- That we meet the SWRB policies and educate students throughout about their responsibilities. This starts from the time of enrolment and interview.
- Fairness and equity balanced with protection of clients.
- This is a key part of what we do here; our graduate profile is set up in terms of students being fit and proper and is not only regularly referred to and used in terms of reselection and ability to go out on placement, but is also linked to all papers through the programme.
- Decisions around fit & proper have to be fair, transparent and objective in order to protect the public, the student, the University and the profession.
- We believe that the SWRB's criteria around fit and proper is unnecessarily dogmatic and out of step with social work principles of social justice and the potential for change. However we are aware of the rigour and compliance with processes that is required to maintain accreditation so we follow it to the letter.
- We have always had SWRB fit and proper, but have not always felt that it addressed the full range of issues from a cultural perspective which is why we are in the process of developing this mauriora tool with fit and proper sitting alongside of it.



- That at application this is aspirational, there are some obvious reasons why an applicant may be refused entry and there should be room for the applicant to grow and learn into being fit and proper.

### Question 20: How is fit and proper criteria assessed throughout the programme?

Eleven schools answered this question. All respondents (100%) used role plays. Ten (90%) equally used attendance criteria, assignments, skills courses, observations and group processes.

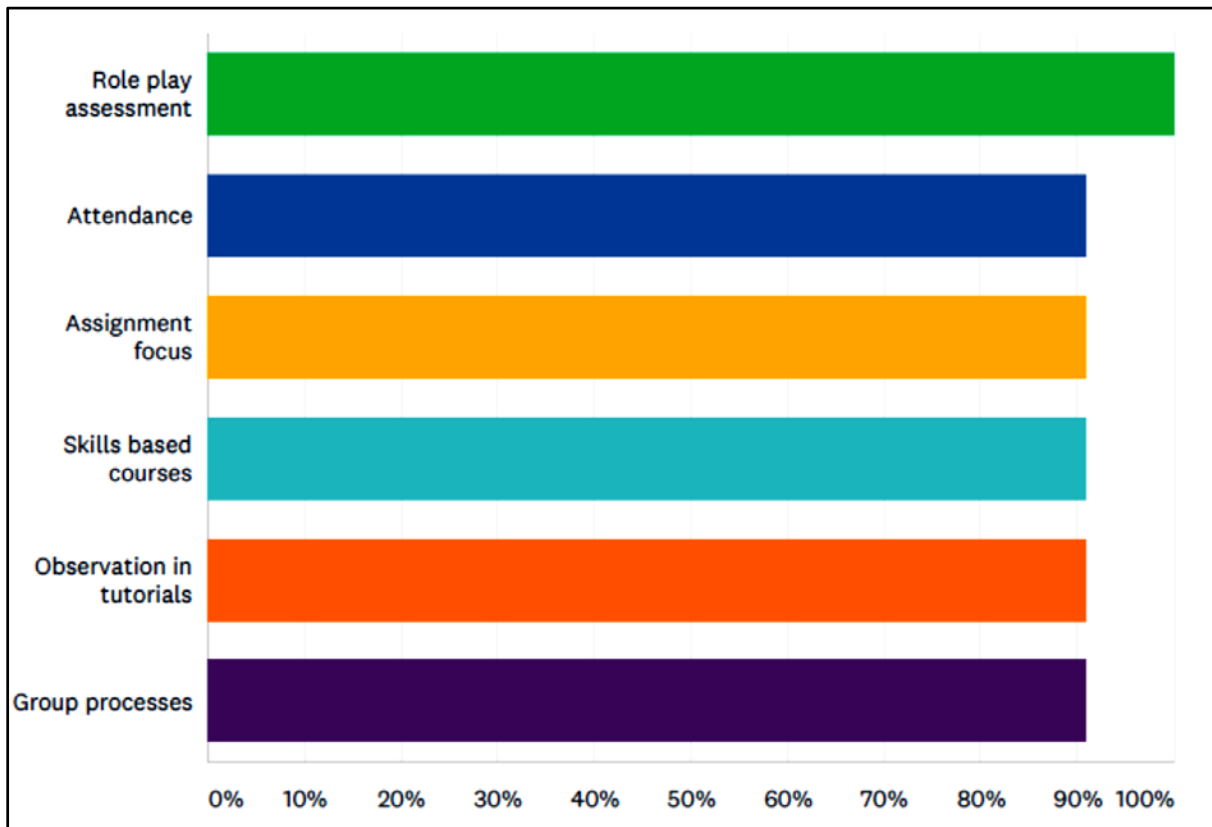


Figure 6. Assessment of Fit and Proper.

Further comments included:

- Practicum, Lateness or non-submission of assignments. Exploration of concerns/complaints raised by other students.
- Fieldwork is a key site for assessing and addressing fit and proper criteria.
- Placement.
- Video assessment of personal insight and empathy skills.
- I wouldn't consider these aspects of 'fit and proper'; these are skills competency and content issues. I suppose they indirectly can be related to fit and proper.
- Everything students do is taken into account.
- While all of these processes are used to build and observe professional behaviour to have reflective conversations, I'm not sure how these would be used to exclude someone from a programme.

### Question 21: How do you develop professional identity?

All 13 schools responded. 85% (11) use the fieldwork practicum to assess students in the building of a professional identity. 78% (10) mentioned the building of professional behaviour throughout the students' journey and 85% (11) identified other criteria which are outlined below. 38.46% (5) made use of social media via on-line professional social work forums.

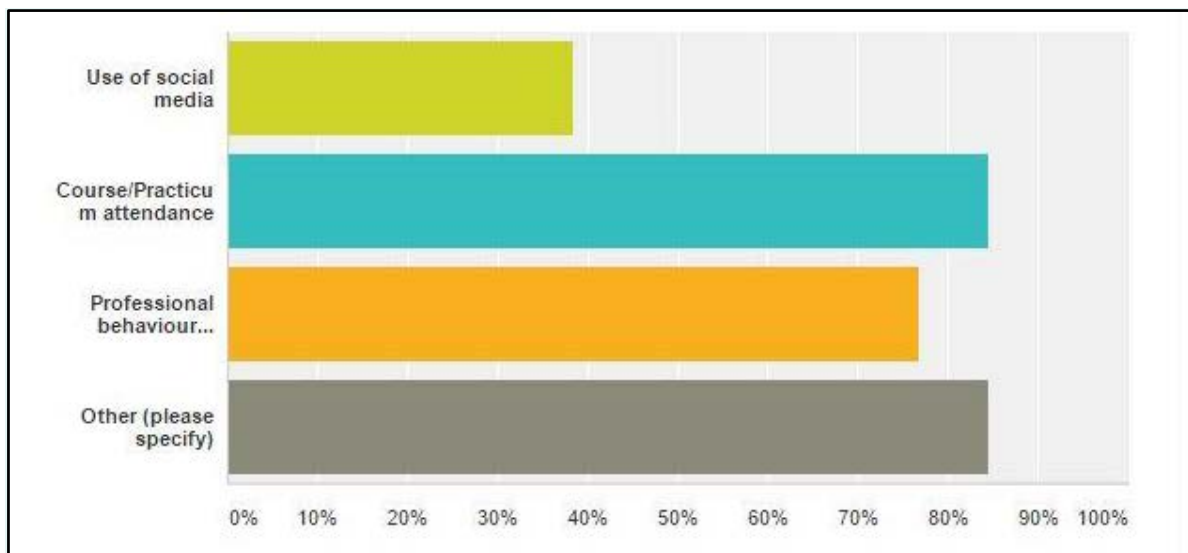


Figure 7. Developing Professional Identity.

#### Other as specified:

- This is a strong focus of many of the papers that students take. We attempt to role model this in our teaching and all our interactions with students.
- Guest speakers bring industry expectation into the classroom.
- Role modelling!
- Staff integrate notion of professional identity into courses, especially ones targeting social work/professional practice and theory.
- Integrated throughout the entire programme.
- Direct teaching, exposure to SWRB and ANZASW<sup>6</sup> requirements, entry to programme workshops.
- Content of papers. Reselection processes.
- Class discussion contributes to professional identity, students take on professional attributes and soon modify each other's behaviour. Guest speakers who are social workers. On-line professional social work forums.
- I'm confused by this question as they seem to indicate quite different processes to what we use - which is ongoing feedback during class, within academic work and while on placement.

<sup>6</sup> ANZASW – Aotearoa New Zealand Association of Social Workers

We are a small school so we rely on a lot of individual contact time and we are constantly reflecting on what professional social work identity looks like in all of our processes.

- We use principled practice informed by takepū<sup>7</sup> that allows the tauira (student) and kaiako(teacher) to consider issues of being professional. We teach what is required to be professional in our practicum programme. We teach about SWRB/ANZASW/Tangata whenua association/Te Awhi Pa. We teach values (uara or matapono) that should inform our professional practice and identity.
- Consistent professional messages re department, attendance, communication styles, respect for others, uphold codes of ethics/conduct.

## Discussion:

Since 2015, when the Survey was carried out, there has been further work at Government level reviewing the Social Workers Registration Act 2003. An issues paper was presented to the Social Services Committee in order to make recommendations to government for legislative reform. Bullet-point three in the terms of reference relates to the topic of fit and proper.

The terms of reference for the inquiry were to consider:

- Whether registration of social workers should be mandatory, and the potential challenges to registration at present;
- The adequacy of current competence assessments and other prerequisites for registration;
- How fitness to practice social work is assessed by the Social Workers Registration Board;
- The level of oversight of social workers by the board;
- The process and powers of the complaints assessment committee;
- The adequacy of grounds of discipline and sanctions available to the Social Workers Complaints and Disciplinary Tribunal
- The appropriateness of suspension and cancellation of registration and practicing certificates as sanctions for non-compliance”. (Social Services Committee, 2016, p. 9)

The Government’s response to that report (Appendix 3) is that it “will carry out further work to identify possible policy and legislative changes that could best give effect to the intent of the Committee’s recommendations to increase the professionalism of the social work workforce” (The Government, 2017, p. 3). This further work resulted in a Regulatory Impact Statement on proposed legislative changes to increase the professionalism of the social work workforce being produced by the Ministry of Social Development in May of 2017 (Appendix 4). The Departmental Disclosure Statement (Appendix 5) is part of this process. The Social Workers Registration Legislation Bill 2017 notes that the aims of the Bill are to “increase the professionalism of the social work profession and ensure the public is protected from harm. It aims to do this by:

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<sup>7</sup> Takepū – Applied principles.

- Increasing coverage of the regulatory regime so that it will cover all social workers;
- Ensuring social workers are competent and fit to practice and that there are appropriate and efficient complaints and disciplinary processes in place;
- Increasing the effectiveness and transparency of the way the Act functions.” (Ministry of Social Development, 2017, p. 3).

The Social Workers Registration Legislation Bill, 2017, was introduced to Parliament on the 9<sup>th</sup> August 2017 and had its first reading on the 17<sup>th</sup>. A Bills Digest published by John McSoriley, notes that the Bill makes “detailed amendments to the Act in relation to:

- Provisional and full registration as a social worker and suspension of registration and the revocation of suspension;
- The competency and ‘fitness to practice’ provisions and the definition of serious misconduct;
- The complaints and disciplinary processes; and
- Other matters relating to professional social worker matters such as professional conduct committees including their membership and the jurisdiction and grounds for the decisions of complaints assessment committees;
- Offence provisions.” (John McSoriley, Parliamentary Service, 2017, p. 2)

Currently the Bill is in Select Committee awaiting its second reading in Parliament.

The email on pages 5-6 of this report, from the SWRB Registrar in 2016, noted that the SWRB had reviewed their fit and proper person policy and it was stated that “there is no clear-cut answer for students or educators”. Following on from this, in October 2017, the Social Workers Registration Board published an updated Policy Statement on Fit and Proper Person which is based on the 2003 Social Workers Registration Act. In light of the findings of the survey described earlier, clause 11 of this policy states that:

It is not the Board’s role to assess whether students or those applying to study towards social work qualifications are fit and proper persons to practice social work. The Board does not assess a person’s fitness to practice social work until he or she applies to become a registered social worker. The Board recognises that education providers may:

- Wish to advise students or prospective students about the process for applying for registration as a social worker;
- Need to deal with issues of student misconduct or changes in a student’s health while he or she is studying;
- Be concerned about whether to allow an applicant to commence or continue study towards a social work qualification, in light of the possibility that he or she may or may not be able to register as a social worker upon completion of the qualification.

The guidance in this policy may assist education providers in their decision making. The Board will, however, consider each applicant for registration on a case-by-case basis. As a result, the

Board cannot provide a definitive list of criminal convictions or health conditions that would definitely lead to a rejection of application for registration (Social Workers Registration Board, 2017, pp. 10-11).

This returns us to one of the issues that pre-empted the survey, i.e. that it is up to educators to make the call about students' entry into their own programmes regarding 'fit and proper' and criminal convictions. The survey has been useful in that it has identified both similarities and differences in the way that educational institutions apply 'fit and proper' considerations to whether they accept students into a social work programme. The survey has provided information about the processes that some schools of social work use in selecting students and declining applicants that are not deemed suitable for study at that time. The survey has also provided information about the ongoing assessment of fit-and-proper criteria within social work programmes. It has also assisted CSWEANZ working group to form a clearer picture of the issues that emerge for schools when determining whether an applicant/student is fit and proper to practice social work.

Ongoing consideration needs to be given to the subjective determination of fit and proper criteria by schools of social work; as well as considering why there is variability in the application of the criteria. A number of articles have mentioned the tensions that arise when students are admitted to social work training but also have a previous history of life experiences that may result in them not being able to gain full registration (Apaitia-Vague, Pitt, & Younger, 2011; Hughes, McNabb, Ashley, McKechnie & Gremillion, 2016; Staniforth & Fouché, 2006).

A number of suggestions have been made to improve how fit and proper criteria are applied and in an attempt to address the ambiguity that exists, Cabinet has;

“propose[d] that the SWR Act adopt a similar approach to the HPCA Act and provide a more comprehensive list of the factors the Board can consider in the exercise of its discretion (including an assessment of any mental or physical health issues and disciplinary history)”, (Office of the Minister for Social Development, 2017, p. 11).

According to Hughes, Gremillion, Bridgeman, Ashley, and McNabb (2017, *In Press*); “It remains to be seen whether the factors that can be considered will allow applicants to gain access to social work training with some certainty of their eligibility to gain registration, or will further exclude applicants with potential who will therefore be ineligible for registration”. As a profession, we need to be mindful of the need for a professional work-force that is representative of the population in which we work and to achieve this we need to consider how we select in, or select out potentially effective practitioners. These are points that require further consideration and discussion.

## Recommendations:

- That the findings of this report are used to develop a brief discussion document that could be used in a wider conversation with SWRB and ANZASW among other interested bodies.
- That the findings be used by social work educators to explore their roles and responsibilities in assessing candidates and students' fit and proper status.
- To further define our understanding of how we apply fit and proper criteria to applicants and students, considering the commonalities and differences in approaches highlighted in the findings.
- That a brief summary of findings be submitted to the SWRB Board to inform regulatory changes.

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Appendix 1: Social Workers Registration Board Fit and Proper Person Policy Statement

Appendix 2: Inquiry into the operation of the Social Workers Registration Act 2003

Appendix 3: Government response to the Report of the Social Services Committee

Appendix 4: Regularity Impact Statement

Appendix 5: Departmental Disclosure Statement

Appendix 6: Bills Digest No 2525.