

An explanatory factsheet of the Social Workers Registration Board of South Australia (SWRB SA).

Employer Responsibilities under the Social Workers Registration Act 2021

Employers have responsibilities to ensure compliance when employing staff.

Employing a Registered Social Worker (S42)

- Employers must not employ or engage a person to perform social work services unless they are registered with the Social Workers Registration Board (SWRB SA)
- A registered social worker must hold a SWRB recognised degree in Social Work.
- Social Workers can register from 01JUL25 and MUST be registered not later than 01JUL26.

Penalty: Up to \$10,000

Reporting Dismissals or Resignations Due to Unprofessional Conduct (S44)

- When an employer dismisses a registered social worker due to allegations of unprofessional conduct, this must be reported to the Board.
- You must also report if a social worker resigns following allegations of unprofessional conduct.
- Reports must be submitted in writing within 7 days, clearly outlining the reasons for dismissal or resignation.
- Reports are uploaded to the Board via the SWRB SA portal.

Penalty for failing to report: Up to \$5,000

Holding Out as being registered (S36)

- You must not allow an employee or another person to represent themselves as a "social worker" unless they are registered.
- You must not represent or introduce an employee or another person as a "social worker" unless they are registered.

Penalty: Up to \$10,000

Misrepresenting Conditions on Registration (S37)

- If an employee's registration has special conditions or restrictions, you must not allow them or anyone else to represent that they have unrestricted registration.

Penalty: Up to \$10,000

Use of the Title "Social Worker" (S38)

- You must not knowingly or recklessly use, or allow the use of, the title "social worker" for yourself or an employee unless that person is registered. This includes job titles, advertisements, or descriptions in any language.

Penalties:

Individual: Up to \$60,000 or 3 years imprisonment (or both)

Company or organisation: Up to \$120,000

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Breaching Conditions of Registration (S39)

- You must ensure that employees comply with any conditions placed on their registration.
- Allowing or requiring a registered social worker to breach these conditions is an offence.

Penalty: Up to \$10,000

- Breaching conditions requiring notification to the Board or restricting practice is an offence.

Penalty: Up to \$5,000 or an expiation fee of \$315 (on-the-spot fine)

Fraudulent or Dishonest Registration (S40)

- You must not use fraudulent or dishonest methods to obtain registration or reinstatement of registration for yourself, an employee, or anyone else.

Penalty: Up to \$10,000

Regularly check your employees' registration status and conditions to ensure compliance and avoid penalties. For more information or to verify registration details, visit the Social Workers Registration Board of South Australia's website.

Providing Information to the Board or Registrar (S32)

- The Board or Registrar may request information about a social worker or their employment from their current or former employer.
- Information must be provided within the timeframe specified by the Board or Registrar.

Penalty for non-compliance: Up to \$1,250

Expiation fee: \$160

Definition of Social Work Services:

For the purpose of s19 of the Social Workers registration Act, Social Work Services means a natural person (a) undertaking (i) psychosocial assessments; and (ii) analysis; and (iii) interventions; and (b) to holistically evaluate the context of a person's or people's situations and their environments; and (c) for the purpose of identifying and responding to (i) risk; and/or (ii) violence; and/or (iii) trauma; and/or (iv) harm factors.