

CONFIDENTIAL

Minutes of the 148th Meeting of the Social Workers Registration Board

Date: 20 March 2018 (Tuesday)
Time: 7:10pm
Venue: Conference Room, 26/F, Eastern Commercial Centre,
83 Nam On Street, Shau Kei Wan, Hong Kong
Present: Mr. CHUNG Wai-lung, Rivalino
Mr. HUI Chung-shing, Herman
Mr. KWAN Wing-shing, Vincent
Mr. LAM Ka-tai
Dr. LEUNG Chuen-suen
Mr. LO Wa-kei, Roy
Mr. LUN Chi-wai
Mr. MA Kam-wah, Timothy
Mr. SHIU Ka-chun
Mr. TAN Tick-yee
Mr. TSANG Kin-chiu
Ms. WU Lai-ling
Apologies: Ms. CHU Wai-sum, Betty
Ms. LUK Ka-mei
Mr. WONG Ka-ming

Secretary: Mr. LEE Wing-po and Ms. FAN Lai-yee, Veronica

1. Mr. LUN, Chairperson of the Board, presided the meeting, whilst noting that Messrs. KWAN, LAM, MA, SHIU and Ms. WU were yet to arrive, as quorum was present, the Chairperson kick-started the meeting.

Confirmation of minutes of the 147th Meeting

2. The minutes of the 147th meeting of the Board were confirmed as the true records of the said meeting.

Matters arising from the previous meetings

Judicial review on Complaint Case no. XXX

3. The meeting noted that no news had been heard from the court on its judgment.

Meeting with the Labour & Welfare Bureau

4. The Secretary reported that the Bureau had responded to the Board's initiative of moving amendments to the Ordinance in writing. He walked through the key points raised as outlined in Board Paper no. 010/2018 and invited the Board to consider formulation of any next possible course of actions.
5. (Anonymized) commented that it was difficult for the Board to move with the private bill option as mentioned in the Board Paper and he suggested if it would be the right way to keep the dialogue with the Bureau open by putting on table those listed out by the Bureau.

(Messrs. KWAN and LAM and Ms. WU arrived at this juncture.)

6. (Anonymized) pointed out that the latest proposal of amendment to allow the Board assuming the role of both the investigator and prosecutor might be considered to be too aggressive. The Secretary reported that the setting of this type is common in legislation for financial regulators, e.g. the Securities & Futures Commission and the Insurance Authority, and the intention was to lessen the burden on the part of complainants, who may be of the under-privileged. (Anonymized) pointed out that the proposal was more on the prosecution part. In the ensuing discussion, the meeting agreed that the private bill option would be ruled out, the dialogue should be kept open and clarification about the proposed change in the role of the Board should be conveyed.

Nomination of additional disciplinary panelists

7. The Secretary reported that a notice for such would be included in the next issue of the newsletter of March 2018.
8. (Anonymized) reported that he had identified two diploma-holder RSWs who would be willing to be nominated. The Secretary would arrange the nomination procedures.

(Business information deleted)

9. (Business information deleted)

Rules for Election of Board Members

10. The meeting considered the only one suggestion received from the open consultation of requiring candidates to swear a political stance to be inappropriate for inclusion into the Rules. The meeting then considered and endorsed two proposals of administrative amendments from the Board Office, namely:

On voidable ballot paper:

- (a) To insert a new bullet point 7.4(4), saying: Ballot paper (except those cast by way of on-site voting) returned to the Board Office by post or in person without being put in the bar-coded envelope;
- (b) To amend the bullet numbers accordingly.

On replacement:

- (a) To add a new sub-paragraph 7.5.3, saying: When an elector exercises his right to cast the vote on-site, regardless of whether he/she has cast the vote via the postal voting scheme, the duty-officer having verified the identity of the elector is with the authority of the EC to first void the set of instruments delivered to him/her under the postal voting scheme and to issue one replacement set of instrument to the elector for on-site voting.

(Post-meeting notes: the finalized version was circulated to the Board Members by email on 23 March 2018.)

(Mr. SHIU arrived at this juncture.)

11. The meeting then considered the appointment to the Election Committee.
12. (Anonymized) reported that Mr. WONG had asked him to convey his willingness to be appointed as he would not be running the re-election. Mr. CHUNG also indicated the same of his own.
13. In the ensuing discussion, the meeting resolved that the Election Committee would be of a number of three.
14. The meeting then decided to extend invitation in the following in sequence for filling the remaining office: (Anonymized)

Registration matters

(Anonymized) (*new application*)

15. (Business information deleted)

(In view of the arrival of the DC presiding member for case no. XXX, the meeting moved to agenda item 5.1 at this juncture for receiving the DC report.)

Report from Disciplinary Committee on Case no. XXX

((Anonymized), presiding member of the Disciplinary Committee on Case no. XXX, was invited to the meeting.)

16. (Business information deleted)

17. (Business information deleted)

18. (Business information deleted)

((Anonymized) retired from the meeting.))

19. (Business information deleted)

Registration matters (continued)

(Anonymized) (*re-application*)

20. (Business information deleted)

((Business information deleted))

(Anonymized)

21. (Business information deleted)

22. (Business information deleted)

23. (Business information deleted)

24. (Business information deleted)

((Business information deleted))

(Mr. MA arrived at this juncture.)

(Anonymized)

25. (Business information deleted)

RSWs with status to be ordinarily resident in Hong Kong in doubt

26. The Secretary reported on the findings from a new workflow in updating the visa expiry details of RSWs whose registration were first relied upon work or student visas. In the ensuing discussion, including the non-applicability of S.22(2) of the Ordinance in this context, the meeting formed the opinion that those 13 RSWs, as listed in the Board Paper no. 016/2018 for their failure to provide to the Board any proof of being legal to reside in Hong Kong, ceased to be ordinarily resident in Hong Kong. The Registrar would be acting in accordance with the provisions under S.22(1)(c) of the Ordinance as well as serving the notice by all possible means, including ordinary post and email.

Appointment of Disciplinary Committees

27. The meeting considered the resignation of (anonymized) from the Disciplinary Committee formed for case no. XXX and resolved to appoint (anonymized) as his replacement, with (anonymized) as the alternate.

28. The meeting took note of the list of the available members of the Disciplinary Committee Panel, in particular their background and case load, and appoint the following to the Disciplinary Committee for case no. XXX:-

(Business information deleted)

Report from the Disciplinary Committees

29. (Business information deleted)

30. The meeting took note of status of various cases being in the hands of different Disciplinary Committees as set out in the agenda.

31. (Business information deleted).

Reports from the Committees

Administration

32. The meeting took note that the online visa payment had been introduced for renewal, the

last paper-issue of Newsletter would be published towards end March, and the Social Work Day had successfully been completed on this day of the meeting of the Board.

Professional Conduct

Progress report on the review of the Code of Practice and its Guideline

33. In the absence of (anonymized), the Secretary reported on the progress of the review work, with the aim to complete by end April with the first draft ready.

Workflow for disciplinary function

34. (Business information deleted).

35. The Secretary then outlined the proposed logistics arrangement to accommodate any public hearing as decided to be held by Disciplinary Committee, which would be circulated for approval once ready.

36. (anonymized) told the meeting that he would stay with his leave from the office of Convener of this Committee and (anonymized) would stay in the Acting role till end of the term. The meeting noted.

Qualification Assessment and Registration

Fit and proper person for registration

37. (Anonymized) reported that the Committee had considered and would suggest the fit and proper criteria to be making reference to those provisions in the revised Code of Practice. The meeting took note of the proposal.

Review of the Principles, Criteria and Standards for Recognizing Qualifications

38. The meeting noted that the exercise was still in progress.

Qualification Recognition Assessment/Review

39. (Business information deleted)

40. (Business information deleted)

(Business information deleted)

41. (Business information deleted)

Composition of Assessment Team for (Business information deleted)

42. The meeting considered the paper tabled for the proposed composition and endorsed the appointment.

Protocol for Decision-making by Circulation

43. The meeting considered the Board Paper no. 020/2018. In the ensuing discussion, the meeting resolved not to change the frequency of submission of applications for approval, and would assign the other matters in the Paper plus the matter of the manner on how timeline be fixed for response to Board Papers by circulation as raised by (anonymized), to the Committee on Administration for in-depth deliberation and putting up action plans for the Board to consider at next meeting.

Any Other Business

(Business information deleted)

44. (Business information deleted)

45. There was no other business deliberated by the meeting.

Date of next meeting

46. The next meeting would be held on 17 May 2018 (Thu) at 7:00pm.

47. The meeting adjourned at 10:30pm.