

CONFIDENTIAL

Minutes of the 154th Meeting of the Social Workers Registration Board

Date: 18 March 2019 (Monday)

Time: 7:04pm

Venue: Conference Room, 26/F, Eastern Commercial Centre,
83 Nam On Street, Shau Kei Wan, Hong Kong

Present: Ms. CHAN Tsz-wai
Mr. HUI Chung-shing, Herman
Ms. LEE Cheung-pui, Sindy Cat
Miss LI Yuen-wah, Cecilla
Ms. LUI Siu-ying
Ms. MAN Yuen-ling, Connie
Dr. TING Wai-fong
Mr. TSANG Kin-chiu

Ms. CHEUNG Lai-yi
Dr. KWOK Ngai Kuen, Alvin
Dr. LEUNG Chuen-suen
Mr. LO Wa-kei, Roy
Mr. LUN Chi-wai
Dr. NG Yut-ming
Miss TO Shuk-yi, Shirley

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

1. While Mr. LO and Dr. NG were yet to arrive, as the quorum was present, Dr. LEUNG, the Chairperson, kick-started the meeting.
2. The Chairperson told the meeting that as the presiding member for the case no. 490 would be arriving around 7:15pm, the related agenda item would then be moved up.

Confirmation of the minutes of the 153rd meeting

3. The minutes of the 153rd meeting of the Board were circulated and confirmed, then signed by the Chairperson.

Matters arising from previous meetings or board papers in circulation

Card-form Certificate of Registration

4. The Secretary told the meeting that the Labour & Welfare Bureau had been followed up and yet their reply to the initiative of introducing card-form certificate was still pending.

Judicial review on Complaint Case no. XXX

5. The meeting took note that the Court of Appeal had handed down the judgment to dismiss the appeal and the issuance of the order of cost was in progress. (Business information deleted)

(Dr. NG arrived at this juncture.)

Policy in assigning re-opened cases to 2BMs

6. To the enquiry of the Chairperson, the Secretary outlined this agenda item which was raised by (anonymized) at the previous meeting with the suggestion of reviewing the policy at this meeting.
7. (Anonymized) suggested not at this stage consuming the meeting time of the Board but referring the matter to the Committee on Professional Conduct (CPC) for exploration.
8. (Anonymized) said that there is a distinction between a review and an appeal of case in

the judiciary that the meeting might wish to ask the CPC also to explore into this aspect. To the enquiry of (Anonymized), the Secretary reported that it was not about referral of complaint to the Board, as the matter being raised was in essence about and was arising from Two Board Members' decision of not making the referral.

9. The meeting resolved to refer this matter to the CPC for deliberation.

Report of Special Panel for the application from (Anonymized)

10. (Business information deleted)

(Mr. LO arrived at this juncture.)

11. The Chairperson took note that there being a general consensus of the meeting, that the application was approved. The meeting unanimously agreed.

Notification of conviction from (Anonymized)

12. (Business information deleted)

13. (Business information deleted)

14. (Business information deleted)

15. (Business information deleted)

16. (Business information deleted)

17. The meeting concluded to take note of the notification without any follow up action.

(At this juncture, the presiding member for case. no. XXX had arrived. The Chairperson decided to move up the related agenda item to receive the report.)

Report from Disciplinary Committee

Case no. XXX

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

18. (Business information deleted)

19. (Business information deleted)

((Anonymized) retired from the meeting.)

20. (Business information deleted)

21. (Business information deleted)

22. (Business information deleted)

(The meeting resumed the proceedings in accordance with the agenda.)

Matters Arising (continued)

Application from (Anonymized)

23. (Business information deleted)

24. (Business information deleted)

25. The meeting unanimously resolved to form a special panel for this application. (Business information deleted)

Registration Matters

New application from (Anonymized)

26. (Business information deleted)

27. (Business information deleted)

Renewal requests

28. (Business information deleted)

Notification of conviction

29. (Business information deleted)

30. (Business information deleted)

Report from Disciplinary Committees

31. The Secretary reported on the status of the other five outstanding cases with disciplinary committees already appointed by the Board.

Appointment of Disciplinary Committees

32. (Business information deleted)

Outline Development Plan for Guangdong-Hong Kong-Macao Greater Bay Area

33. (Anonymized) reported that prior to the commencement of this meeting, there were five social work organizations petitioning to the Board in opposition to the suggestion of mutual recognition of social work professional qualification mentioned in the Plan. In addition, there was also a written submission from (Anonymized), petitioning the same opposition. He invited views from the meeting and the following were raised:-

(1) (Anonymized) said that if social workers drained away from Hong Kong, it would lead to shortage. She and (Anonymized) further shared their observations that there were cross-sector movement of RSWs out from rehabilitation and elderly into school, children and youth.

(2) (Anonymized) pointed out that the Board should be duly recognized in its role as a

regulator, conducting its business in accordance with provisions in the legislation.

- (3) (Anonymized) outlined the qualification recognition regimes of Guangdong, Hong Kong and Macao, where the Guangdong was by licensing examination, and Macao was still working out its own, most likely modelling after that of Hong Kong, where the Board would recognize specific social work programmes for registration.
- (4) (Anonymized) shared his view that the Board is a statutory body, that the Board cannot do those not provided in law and should do as required in the statute, or as amended. The Board should simply stay with the existing mechanism for qualification recognition as required by the legislation.
- (5) To the enquiry of (Anonymized), various members advised that so far the students were admitted to and had completed the study of the Hong Kong recognized social work programmes within the territory, they would be eligible for registration in Hong Kong. Any social work programmes even offered by Hong Kong tertiary institutions in Hong Kong or elsewhere but without recognition, graduates from those programmes would not be eligible for registration.
- (6) In response to the quote by (Anonymized) from a previous manpower survey in 2016 by the Social Welfare Department that there was an over-supply of social workers in Hong Kong by hundreds, (Anonymized) explained that the survey was administered by the Department and the data collection did involve a number of other stakeholders.
- (7) (Anonymized) pointed out that supply of manpower was the business of the tertiary institutions but not the Board. She further drew attention to the three core components for the basis of qualification recognition, namely the core values of social work, social work knowledge and skills. She would cast doubt on social work programmes in those regions as if they embedded the congruent components, especially the core values of social work, hence she would be uncomfortable to recognize any of those.
- (8) To the query of (Anonymized) as if the Board may formulate a position to answer various enquiries including hypothesis of upsurge in number of outside Hong Kong social work programmes seeking recognition by the Board or hypothetical legislative amendments to allow mutual recognition, (Anonymized) pointed out that any legislative amendments had to go through the Legislative Council as the gatekeeper and the recognition of qualification would be bound by the criteria and standards prescribed by the Board which had been well established.
- (9) (Anonymized) considered that the social worker sector was sentimental toward this issue and would be expecting the Board to take and pronounce the stance in this aspect, particularly when he was also shocked by the relatively low entrance requirement to be licensed in the mainland.
- (10) (Anonymized) reiterated that the Board should well position itself, that by abiding its mechanism of recognizing up-to-standard programme, this would distinguish from others, and that would naturally be the stance of the Board.
- (11) (Anonymized) noted that the discussion was arriving at the consensus that there was

not found any ground for mutual recognition.

- (12)(Anonymized) observed that the sector was anxious due to the uncertainty as if any change might be materialized. She would suggest a statement of the stance of the Board to be sufficient.
- (13)(Anonymized) pointed out that the common views arrived so far were that the position of the Board was to abide by the well established standards and mechanism of qualification recognition in Hong Kong, with reference to the core components for vetting and there being no basis for mutual recognition.
- (14)To the enquiry of (Anonymized), (Anonymized) said that at the earlier discussion in the committee meeting, it was proposed to make known of the Board's stance in the newsletter. (Anonymized) said that it would also be proper to give formal replies stating the position of the Board to those petitioning organization.
- (15)The Chairperson said that he had also received media enquiries, and he sought blessings from this meeting to respond to enquiries of the like along the aforesaid line, i.e. the Board is to abide by the current legislation and mechanism in discharging its statutory duties, with reference to the core components to vet for qualification recognition, and there being no basis for mutual recognition for the time being.
- (16)In response to (Anonymized), (Anonymized) also told the meeting that he and (Anonymized) had received calls from Dr. C.K. LAW, Secretary for Labour and Welfare, and he would be meeting with him later to discuss.
- (17)To the enquiry of (Anonymized) as if the Board may provide factual information to RSWs on the different recognition regimes, (Anonymized) pointed that it would be outside the jurisdiction of the Board. Other Members echoed that the information may not be appropriate to be disseminated by the Board, but may be quoted by (Anonymized) as reference when answering enquiries.
- (18)To the enquiry of (Anonymized) as if the Board may conduct a survey, as previously by the Board in collecting views on promoting the CPD scheme, (Anonymized) echoed, whilst (Anonymized) pointed out that it might also be beyond the mandate of the Board. (Anonymized) said that if the survey would be on the regulatory development, that it may be well within. (Anonymized) said that the Board should be mindful of how the public may perceive this proactive approach, as whether it would be seen to be case that the Board would be preparing for the change in that direction, and whether it would be appropriate to do so at this juncture.
- (19)(Anonymized) reiterated that when the discussion had come to the consensus that there being no basis for it, to conduct a survey would just be sending out confusing messages as if the Board might be examining the feasibility of such basis. (Anonymized) agreed.
- (20)To the enquiry of (Anonymized), the meeting was of the consensus that the Board would not be in a position to comment on whether the sector would support the stance of the Board or not.

34. The Chairperson thanked members for the views and he would be well prepared for answering enquiries.

(In view that time was running short, the Chairperson said that the agenda would be amended such that the remaining time would be to deal with matters under item no. 7, part of item no. 8 but not the rest. Those not being dealt with at this meeting would be included in the next meeting agenda.)

Report from the Committee on Qualification Assessment and Registration

Qualification Recognition Assessment

35. (Business information deleted)

36. (Business information deleted)

37. (Business information deleted)

38. The meeting noted that there were another two programmes of different institutions being reviewed with reports to be submitted by the respective assessment teams.

Appointment to Assessment Panel and Co-opted Members to the Committee

39. (Anonymized) referred to Board Paper no. 036/2019 and invited views from the meeting on the proposal of extending existing Assessment Panel members for one more year, except those who would be found to have failed consistently responding to conflict and availability check as well as those the Committee would have concern over their appropriateness to remain, so that the new appointment would then be based upon the revised Principles, Criteria and Standards. The meeting resolved to adopt the proposal.

40. The meeting also endorsed the proposal of open nomination for co-opted members to the Committee.

Review of the Principles, Criteria and Standards for Recognizing Qualifications in Social Work

41. The meeting noted that the Committee had taken up a draft revision to the document from the last term and recommended putting it forth for public consultation, as outlined in Board Paper no. 037/2019. The meeting agreed and the consultation would start before the Easter, ending by 30 June 2019.

42. (Anonymized) reported that after taking on board comments and suggestions collected, the refined draft would be sent for legal vetting and translation into Chinese.

43. (Anonymized) remarked that the review of the Code of Practice would also be concluded soon and ready for public consultation, that the two would be duly coordinated and managed.

Report from the Committee on Administration

Invitation to the IFSWR Meeting 2019 at Vancouver

44. The meeting considered the invitation under Board Paper no. 049/2019. In the ensuing discussion, it was agreed that there were good values to be participating in this international meeting of social work regulators, and it would also be worthwhile to delegate both a Board Member and the Registrar to attend the meeting, as well as attending the CLEAR Congress on professional regulatory work held in the same week in Vancouver.
45. The meeting noted that (Anonymized) had indicated her interest and resolved to delegate her and the Registrar to the event as well as attending the CLEAR Congress.

Language Policy

46. (Anonymized) referred to Board Paper no. 038/2019 setting out the consideration of the language policy of the Board by the Committee. She pointed out that the proposed change would be that only the agendas and minutes of the Board meetings would be prepared in Chinese, so be the redacted version to be posted onto website.
47. To the enquiry of (Anonymized), the Secretary reported that readers used to the English version would be provided the translation upon request.
48. The meeting adopted the proposal which would be implemented as from the May meeting of the Board.

Appointment of Panelists

49. (Business information deleted)
50. (Business information deleted)
51. (Business information deleted)
52. (Business information deleted)

Report from the Committee on Professional Conduct

53. At the invitation of (Anonymized), (Anonymized) reported that the Committee would put forth the proposal of re-appointing (Anonymized) as the co-opted member of the Committee, and of inviting the Law Society of Hong Kong to nominate one.
54. (Anonymized) said that the Law Society might not be proactive in the responding to this type of invitation, and he put forth a proposition of inviting one with legal training who was currently on the disciplinary committee panel instead, but due consideration had to be given as if there may emerge a conflict if that panelist be appointed also to disciplinary committee.
55. (Anonymized) pointed out that perceptually it would be better to be more transparent in the nomination and the Committee would be giving one-month's time for response and would then turn to another professional body, and when all being exhausted, then the Committee would be prudent in turning to the path of inviting directly individual to such membership.
56. The meeting agreed and the invitation to the professional bodies would be for nomination

of candidates for appointment, so that the Board could still hold the final decision of the appointment.

Any Other Business

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

Date of next meeting

58. The next meeting would be held on 27 May 2019.

59. The meeting concluded at 10:45pm.

Chairperson