

21 December 2023

John Luke

By email: fyi-request-24715-c38338bf@requests.fyi.org.nz

Tēnā koe Mr Luke,

Information request – JL231112

Thank you for your email dated 12 November 2023. In your email, you requested:

- “the current members of your Professional Conduct Committees and their term of appointment and expired date of appointment”; and
- “the Social Workers Registration Board's full board meeting minutes from 1st Jan 2022 to 11th Nov 2023.”

We have now prepared our response to your request; please find this below.

The current members of the professional conduct committees

To answer this question meaningfully, it is helpful to briefly describe the SWRB’s current practice for setting up professional conduct committees (PCCs). Section 66(1) of the Social Workers Registration Act 2003 (the Act) allows the SWRB to:

From time to time appoint, in relation to a particular case or cases of a particular class, 2 social workers and 1 person who is not a social worker to be a professional conduct committee.

This means that the Act allows the SWRB both to appoint PCCs for particular cases and to appoint standing PCCs tasked with determining “cases of a particular class”. At present, the SWRB does not appoint standing PCCs—it is the SWRB’s practice to appoint a separate PCC for each new case.¹

When required, the SWRB recruits social workers and laypeople to join its pool of people available to be appointed to PCCs. The relationship between SWRB and appointees is through a contract for service, and the contract is based on Government Model Contract templates (more information on these are available here: <https://www.procurement.govt.nz/procurement/templates/>). At **Appendix A**, I have set out a list of the SWRB’s current PCC contractors.

¹ However, the SWRB has occasionally referred multiple complaints about one social worker, or interrelated complaints about multiple social workers, to a single PCC.

The contracts between the PCC contractors and the SWRB set out the SWRB's expectations of the PCC contractors and the PCC contractors' remuneration. They are paid in line with the Cabinet Fees Framework.²

The contracts do not guarantee that the PCC contractors will be appointed to any PCCs. Of the PCC contractors listed in Appendix A, many are not currently appointed to any PCCs, and some have not yet been appointed to a PCC. This reflects that PCC volumes are variable, and demand driven.

The appointment and expiry dates of the PCC contractors' contracts

All contracts have start and end dates, and the SWRB and the PCC contractors are not obliged to renew their contracts beyond the end date. However, in practice the SWRB will consider and—if appropriate—offer to extend the contracts, reflecting the time taken in onboarding, training and recruitment.

We take the view that the start and end dates for the individual PCC contractors' contracts are the private information of those contractors, and that there is not a significant public interest in publishing that information. Therefore, we have decided to withhold those start and end dates under s 9(2)(a) of the Official Information Act 1982.

The minutes of the full meetings of the Social Workers Registration Board

Please find **attached** a redacted copy of the SWRB's minutes for its Board meetings between 1 January 2022 and 11 November 2023.

Section 9(2) of the Official Information Act 1982 allows the SWRB to withhold official information where there is good reason to do so. Accordingly, we have redacted some parts of the minutes to:

- Protect individual people's privacy (s 9(2)(a)).
- Protect information where the disclosure of the information would likely unreasonably prejudice the commercial position of the person who supplied or who is the subject of the information (s 9(2)(b)(ii)).
- Maintain the effective conduct of public affairs through the free and frank expression of opinions between the SWRB's members and the SWRB's employees (s 9(2)(g)(i)).
- Enable the SWRB to carry on, without prejudice or disadvantage, negotiations (s 9(2)(j)).

² <https://www.publicservice.govt.nz/guidance/interpreting-and-implementing-the-cabinet-fees-framework/>

Further information

If you have any questions, or wish to discuss the matter further, please contact SWRB's legal team by email at legal@swrb.govt.nz, or by post at Social Workers Registration Board, PO Box 3452, Wellington 6140 (attention Legal Team).

You have the right to seek a review of our response by the Ombudsman. Information about the Ombudsman can be found at <https://www.ombudsman.parliament.nz>.

Ngā mihi nui



Lucas Davies
Senior Legal Advisor
Social Workers Registration Board

Appendix A: List of PCC contractors as at 19 December 2023

- Amanda Smith
- Amy Te Vaerangi Minster
- Angela Switalla
- Annelize de Wet
- Ari Edgecombe
- Bianca Johanson
- Brendan Ward
- Christine Menzies
- David Quested
- Diane Miller
- Ernest Davis
- Fiona Hood
- Gertrude Ake
- Gina Anderson-Lister
- Glynnis Brook
- Heidi Collins
- Hemant Thakkar
- Hoa Nguyen
- Joanne Young
- Jonelle McNeill
- Karen Schulze
- Karin Jansen
- Lee Henley
- Lynda Carroll
- Madeleine Taylor
- Marek Willis
- Mary Miles
- Megan West
- Natalie Hoeflich
- Nicola Simister
- Noeleen Heke
- Pania Hetet
- Paula Grooby
- Paula Nes
- Phirak Appleton
- Raewyn Lucas
- Richard Ngatai
- Robert Wilson

- Roslyne McKechnie
- Sean Rahui
- Shelley Wright
- Siaki Tokolahi
- Stacey Muir
- Sue Simister
- Trixina Smith