

Social Workers

Administrative By-laws 2016



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These By-laws are made
by the College
pursuant to subsection 11(1)
of the Social Workers Act.

Title

1. These by-laws may be cited as the Social Workers Administrative By-laws 2016.

Officers of the College

Executive Committee

2. (1) The officers of the College are the Past President, the President, the Vice-President, the Secretary, and the Treasurer.
(2) The officers shall perform the duties set out in these by-laws as well as those that are designated by the Council.
(3) The officers of the College shall constitute the Executive Committee.
(4) The President shall be Chair of the Executive Committee.
(5) The Executive Director/ Registrar shall be ex officio non-voting member of the Executive Committee.
(6) The duties of the Executive Committee are:
 - (a) to meet as required, to deal with Council matters between regular meetings of the Council;
 - (b) to make decisions on urgent matters that cannot wait for a Council meeting;
 - (c) to keep minutes of the meetings and make them available to Council members;
 - (d) to make recommendations to Council on specific College policies;
 - (f) to consider amendments to by-laws and regulations and make recommendations to Council for amendments as required;
 - (g) to approve persons selected for the awards;
- (7) A quorum for a meeting of the Executive Committee shall be three members.

President

3. (1) The President shall ensure the Council and the College conducts its affairs in accordance with the Social Workers Act, the Regulations and by-laws.
- (2) The President shall preside at all meetings of the College and the Council.
- (3) The President is an ex-officio, voting member of all committees of the College, however established.

Past President

4. The Past President shall:
 - (1) be available for consultation to the Executive Committee and the Council.
 - (2) co-ordinate the process for the selection of the recipients of awards to members of the College.

Vice-President

5. (1) The Vice-President shall assume the duties of the President in the absence or inability of the President to act for any reason.
- (2) In the case of the resignation, death or dismissal of the President, Vice-president or any elected member of the Council, the remaining members of the Council may fill, from among the members of the College, the vacancy so caused for the unexpired portion of the term.
- (3) The Vice-President shall periodically review the by-laws of the College and make a report to the Council and the College of the result of that review.

Secretary

6. (1) The Secretary shall ensure
 - (a) review of the minutes of all Council meetings and meetings of the College;
 - (b) that all approved minutes are posted to the website;
 - (c) Liaison with Executive Director/ Registrar for the preparation and distribution of copies of the minutes as may be required; and
- (2) The Secretary shall ensure certified copies of all by-laws and amendments to by-laws are filed as required under the Regulations Act.

Treasurer

7. The Treasurer shall ensure:
- a. maintenance of the books in a manner approved by the Council;
 - b. payment of expenses as approved by the Council;
 - c. depositing of the funds of the College in a financial institution approved by the Council;
 - d. preparation and presentation of the budget to the Council and the general membership at the AGM;
 - e. submission of monthly financial reports to the Council and an annual financial statement to the College; and
 - f. recommendation of the appointment of an accounting firm.

Term of Office

8. (1) The President, Vice-President, Secretary and Treasurer shall be elected to office for a two-year term.
- (2) Officers are eligible for re-election, but no President shall be eligible for election in the same office for more than two consecutive two-year terms.

Council of the College

9. (1) For the purposes of clause 12(1)(a) of the Social Workers Act, the Council of the College consists of the officers of the College, chair of the Board of Examiners or designated Board member, and ten regional members elected through an online vote and proclaimed at the Annual General Meeting.
- (2) The representative of the Nova Scotia Association of Black Social Workers, the representative Aboriginal social worker; and the representative faculty members and students from the Dalhousie School of Social Work and the Universite Sainte Anne social work program will be voting members until such a time as the by-laws and new legislation state otherwise.
- (3) If a position is not filled by a vote of the membership, the position is deemed vacant and does not count against the quorum.
- (4) Council can appoint people from the regions to fill vacant positions
- (5) The quorum shall be a simple majority (50% + 1) of filled Council membership positions excluding non-voting members.

(6) The representative from Nova Scotia on the Board of the Canadian Association of Social Workers will be an ex-officio member of Council and will not be considered part of the quorum.

(7) The Executive Director/ Registrar shall be an ex officio non-voting member of the Council.

Terms of Office

10. (1) Members of Council take office immediately following the Annual General Meeting where they are proclaimed.

(a) No member of Council or Executive shall fill a position for more than 3 2-year terms.

(2) The ten regional members and executive of Council can be elected through an online vote and proclaimed at the Annual General Meeting.

(3) The Canadian Association of Social Workers representative shall be elected at an annual general meeting for a two-year term.

Remuneration and expenses

11. Members of the Council do not receive remuneration for their services but are entitled to reimbursement for expenses actually incurred on Council business and which are approved by Council.

Duties

12. The duties of the Council are:

- a. to ensure the sound administration of the affairs of the College;
- b. to ensure putting into effect the decisions and directions of the general membership consistent with the Act;
- c. to serve as the governing body of the College;
- d. to exercise any other functions entrusted to it by the Act;
- e. to appoint delegates and experts to act on behalf of the College when necessary;



- f. to set up committees or commissions as may be deemed necessary to conduct the business of the College;
- g. to engage and dismiss the Executive Director/ Registrar and to determine their salary, duties, and working conditions;
- h. to ensure the profession's ethical responsibilities for social change are addressed;
- i. to ensure the establishment and maintenance of sound personnel practices for employees of the College;
- j. to ensure the preparation and approval of the budget for final approval at the Annual General Meeting; and
- k. to make such other decisions as may be necessary to further the activities of the College.

Procedures

13. (1) The Council shall meet to conduct the business of the College, not less than four times a year.
- (2) The Secretary shall ensure notice of Council meetings to Council members at least six days in advance of the meeting, stating place and time.
- (3) At any meeting of the Council, all matters shall be decided by a majority of the votes of the members of the Council present at the meeting and chair shall vote only when the votes are equally divided.
- (4) Council shall determine which recognized rules of order govern meetings of Council and meetings of the College.
- (5) The minutes of the Council meetings shall be sent to all members of the Council prior to the next meeting.
- (6) If a member of the Council does not attend three consecutive meetings, without sufficient cause accepted by the Council, a vacancy shall be declared.

Meetings of the College

Annual general meeting

14. The College shall hold its Annual General Meeting prior to May 31st in each year.

Special meeting

15. (1) A special meeting of the College may be called by the President at any time considered by the President to be appropriate.

(2) The President shall call a special meeting of the College upon request to the Secretary made by at least 50 members of the College.

Notice of meeting

16. (1) The Secretary shall ensure a notice of all College meetings together with a draft agenda is sent to each member of the College by post or electronically at least 14 days prior to the date of the meeting.

(2) Any notice mailed to the last known address of a member of the College is deemed to be notice to that member of a meeting.

(3) No member or group may present a resolution requiring an expenditure of funds necessitating a change in annual membership fees unless written notice of the proposed resolution has been submitted to the Council at least six weeks before the annual general meeting or special meeting. The Council shall provide notice of the proposed resolution to the Secretary for circulation to the membership at least three weeks prior to the meeting of the College at which the resolution is to be submitted to the membership for a vote.

Quorum

17. Twenty members who are present at a meeting of the College constitutes a quorum.

Voting

18. (1) All matters at a meeting of the College are decided by a majority of the votes of the members present at the meeting.

(2) The President or other person chairing the meeting shall only vote if the vote on a question is evenly divided.

(3) Members shall vote by a show of hands unless a majority decides that a vote should be taken by secret ballot.

Procedure

19. Recognized rules of order, as determined by Council, shall govern every meeting of the College.

Finances

Cheques required

20. All financial transactions of the College must be supported by bills or receipts.

Signing officers

21. The President, Treasurer, Executive Director/ Registrar, and one other person designated by the Council are the signing officers of the College and the signatures of two of the four signing officers are required on all cheques.

Fiscal year

22. The fiscal year of the College is the calendar year.

Year-end financial statement

23. The Treasurer shall file a copy of the annual financial review report with the President within fifteen days of the Treasurer receiving it.

Amendment of By-Laws

Procedure

24. (1) The Council may propose amendments to any of the by-laws of the College by providing notice of the proposed amendments to the Secretary for circulation to the membership at least three weeks prior to the meeting of the College at which the proposed by-laws are to be submitted to the membership for a vote.
- (2) Any member may propose amendments to any of the by-laws of the College, with the exception of changes to the annual membership fees or other fees set out in Schedule "A", by providing a notice of the proposed amendments to the Secretary for circulation to the membership in accordance with subsection (1).
- (3) Any resolution requiring an expenditure of funds necessitating a change in annual membership fees or other fees set out in Schedule "A" is deemed to be a proposal to amend the annual membership fees or other fees set out in Schedule "A" of the by-laws.
- (4) Notice of a change in annual membership fees or other fees set out in Schedule "A" or notice of any resolution requiring an expenditure of funds necessitating a change in annual membership fees shall be effective notice of an amendment to the fees set out in Schedule "A" regardless of the amount by which the fees set out in Schedule "A" are either increased or decreased by the passage of that resolution or amended resolution at a meeting of the College.
- (5) Any proposed changes in the by-laws shall be subject to the approval of two thirds of the members voting on the proposed amendment.



(6) Any proposed changes in the by-laws shall be effective from the date of the vote or any effective date identified in the proposed by-law.

Committees

General rules

25. Council may establish any committees, task groups, or working groups it needs in order to complete its work, and shall determine the composition, terms of reference and manner of appointment of chairs.

(1) Each committee shall:

- a. perform its duties subject to the direction of the Council;
- b. meet as frequently as is required to fulfill its terms of reference; and
- c. report to the Council on the business of the committee.

Nomination Committee

26. (1) The Nomination Committee consists of a chair and at least two other persons appointed by Council.

(2) The Nomination Committee shall solicit nominations of persons to fill any vacancies in any of the offices or positions of the College.

(3) The Nomination Committee shall submit a report to Council in January of that year containing nominations for offices and for those offices or positions on the Council for which elections are required.

(4) The Nomination Committee shall receive from any member, a nomination or nominations for any officer or position on the Council provided the person nominated agrees in writing to the nomination, and the nomination is supported by the signed approval of at least three members in good standing of the College.

(5) All nominees must have consented to act if nominated and elected.

(6) If more than one nomination is proposed to one or more positions of the College including the Officers or members of Council, an election shall be held in accordance with the voting procedures for meetings of the College as set out in these by-laws.

Registration and Membership

Duties of Executive Director/ Registrar

27. (1) The Executive Director/ Registrar shall receive all applications for membership and registration and verify they meet with the requirements of the Social Workers Act and the by-laws of the College.
- (2) The Executive Director/ Registrar shall process and present all applications for registration as Registered Social Workers, Social Worker Candidates, and Registered Social Workers (Provisional) to the Board of Examiners for review and a decision.
- (3) The Executive Director/ Registrar shall issue, on the direction of the Board of Examiners, certificates of registration and renewals to Registered Social Workers and Social Worker Candidates and Registered Social Workers (Provisional).
- (4) The Executive Director/ Registrar of the Board of Examiners shall keep the Register up to date and secure within the office of the Board of Examiners.
- (5) The Executive Director/ Registrar shall, for the purposes of determining appropriate registration categories, determine whether a position constitutes the practice of social work.
- (6) When an applicant is seeking a temporary registration while offering their social work services to Nova Scotians during the time of a public emergency, the Executive Director/ Registrar may issue a temporary registration in keeping with the Regulations.
- (7) When an applicant is applying for a temporary registration, the Executive Director/ Registrar may, after processing the necessary documentation, issue a temporary registration in keeping with the Regulations.
- (8) The Executive Director/ Registrar shall remove from the registry any member from the Register of Registered Social Workers, Social Worker Candidates and Registered Social Workers (Provisional) for non-payment of registration fees after Dec 31st of the year the fees are due.

Register of Social Workers

28. (1) The Board of Examiners shall establish and maintain a Register of Registered Social Workers, accessible to the public, which shall be composed of Registered Social Workers, Provisional Registered Social Workers, temporary Registered Social Workers, and Social Worker Candidates pursuant to Section 22, 23, or 24 of the Social Workers Act and Section 2(1) of the Regulations of the College.
- (2) Associate registration shall be available to Registered Social Workers, Social Worker Candidates and Provisional Registered Social Workers upon application to the Executive Director/ Registrar if the applicant is unemployed or on maternity or parental leave or on long term disability. For the purposes of this sub-section, unemployed means not working for any employer and not self-employed, and maternity leave and parental leave means leave as outlined in the Employment Insurance Act in the sections on pregnancy and parental benefits.

(3) Registration as a Social Worker Candidate shall be available to all persons who have fulfilled the formal educational requirements for registration as set out in Section 24 of the Social Workers Act but have not yet fulfilled some or all of the other requirements set out in the Social Workers Act, the Regulations of the College or these by-laws.

Directory of Members

29. (1) All Registered Social Workers, Provisional Registered Social Workers, and Social Worker Candidates who are in good standing pursuant to these by-laws are members of the College.
- (2) Student membership in the College may be granted to students who are registered at an approved educational institution providing social work education, upon approval of the Executive Director/ Registrar.
- (3) Associate membership in the College shall be granted to Registered Social Workers in good standing pursuant to by-law 29 and who have no outstanding complaints against them, who are not practicing and who do not intend to practice social work in the future. Should associate members wish to re-commence the practice of social work, they shall apply to Executive Director/Registrar for reinstatement.
- (4) Honorary membership or life membership in the College may be granted at the discretion of the Council, or the College, to persons who have rendered distinguished service to the field of social work.
- (5) The College shall establish and maintain a Directory of Members including all of the members described in this sub-section.

Rights of members

30. (1) Members who are Registered Social Workers, Registered Social Workers (Provisional), Social Worker Candidates, and Associate Social Workers are entitled to vote and participate in all meetings of the College and, if in good standing, are eligible for election to the Council.
- (2) All members in good standing are entitled to serve on committees and are entitled to receive correspondence directed to the membership, College newsletters, questionnaires, sample surveys, deductions for workshops and other benefits designed by the Council.

Members in good standing

31. A member shall be deemed in good standing, if:
- a. annual fees have been paid in accordance with section 22, 22A, 23, and 24 of the Social Workers Act;



- b. any disciplinary order issued against the member has been complied with; and
- c. no suspension or expulsion as a member of the College has been issued.

Private practice requirements

32. (1) Registered Social Workers shall, on application to the Board of Examiners, be registered as entitled to engage in the private practice of social work, if they:

- a. are members in good standing and not currently the subject of an outstanding disciplinary order;
- b. have successfully completed a master's or doctoral degree in social work from an accredited School of Social Work as listed with the Canadian Association of Schools of Social Work or an equivalent graduate social work degree recognized as such by the Board;
- c. have a minimum of five years or equivalent hours of professional social work experience including:

- (i) two years or equivalent hours of professional social work experience, following completion of a masters or doctoral degree in social work and within the previous ten years, which is relevant to the area or areas of specialization in which the applicant proposes to conduct a private practice;

Or

- (ii) four years or equivalent hours of professional social work experience within the past ten years which is relevant to the area or areas of specialization in which the applicant proposes to conduct a private practice and which may have been obtained, in whole or in part, prior to completing a masters or doctoral degree in social work.

- d. The experience referred to in subsection 1(c)(i) and (ii) must have been supervised by, or conducted in consultation with, another professional with appropriate expertise in the proposed specialization: In all cases, social work experience refers to a position in which the primary professional designation is social work or for which a social work qualification was required or preferred.

(2) Persons who wish to engage in the private practice of social work shall apply to the Board of Examiners, and shall provide the following information:

- a. a completed application form;
- b. a curriculum vitae;

- c. information regarding the applicant's proposed area or areas of specialization;
- d. confirmation of competency in the applicant's proposed area or areas of specialization from persons supervising or consulting with the applicant;
- e. completion of a current criminal record check;
- f. completion of a Child Abuse Register check, where relevant;
- g. two letters of reference from Registered Social Workers in good standing with the College, or for applicants from outside Nova Scotia, two letters of reference from qualified social workers attesting to the requirements pertaining to the applicant's competency in their proposed area(s) of specialization;
- h. proof of any requirements set out in subsection (1); and
- i. a disciplinary record from the Nova Scotia College of Social Workers or any other social work College of which the applicant has been a member.

(3) The Board of Examiners may require an interview for clarification where other information is inadequate or inconclusive in assisting the Board to determine the suitability of the member to be approved for private practice.

(4) Any person seeking to engage in the private practice of social work shall provide evidence of appropriate insurance coverage acceptable to the Board for malpractice liability for the applicant's private practice.

(5) Registered social workers registered to engage in private practice may conduct the private practice of social work only in their approved area or areas of specialization.

Specialization

33. Persons registered to engage in private practice may conduct the private practice of social work only in their approved fields of specialization.

Approved universities

34. (1) Approved faculties of social work for the purposes of the Social Workers Act and these by-laws are those offering a social work program accredited by the Canadian Association for Social Work Education or deemed by the Canadian Association of Schools of Social Work to offer a program that is the equivalent of such an accredited program or have been approved by the Council of the College.

Code of Ethics

35. The Code of Ethics shall be the most recently revised Code of Ethics as approved by the College.

Personal and Real Property

36. The College, in furtherance of its objects, shall have the power to:

- a. acquire and hold assets and property, both real and personal, by way of purchase, lease, grant, hire, exchange or otherwise, and to dispose of such property by any means;
- b. provide for the management of its property and assets, and of its affairs and business including the employment of staff;
- c. borrow money for the purpose of carrying out the objects of the College and give security for money borrowed on any of its real or personal property by way of mortgage, pledge, charge or otherwise.

Payment of Fees

Registrants - Registered Social Workers, Social Worker Candidates and Registered Social Workers (Provisional)

37. (1) The annual fee for registrants is payable on or before December 31st in each calendar year.

(2) The Executive Director/ Registrar shall refuse to register any registrant who has not paid the annual registration renewal fee on or before December 31. The registrant's name shall be removed from the Register of Social Workers, Social Worker Candidates and Registered Social Workers (Provisional), effective January 1.

- a. Annual registration fees shall be as set out in the Schedule A attached hereto, and may be amended by the College from time to time.
- b. Council may, after receiving advice from the Treasurer, increase any fee by a percentage up to but not exceeding the change in the Statistics Canada Consumer Price Index (CPI) since the date of the last change in fee. If the Council determines that a fee increase representing a change greater than the percentage change in the Consumer Index is required to operate the College, then a proposal for a fee increase, supported by a budget, shall be prepared for presentation and approval voting at an Annual General Meeting.

(3) A registrant who has been refused registration and whose name has been removed from the Register for non-payment of fees may, up to the end of the calendar year in

which the fees were due, apply for reinstatement. The registrant shall pay a reinstatement application fee as set in Schedule A, the fee for the full registration year, the late fee, plus interest at the rate of 10% per annum calculated monthly.

New Registrants

(5) The Executive Director/ Registrar shall prorate the annual registration fee each quarter year period (January 1 - March 31, April 1 - June 30, July 1- September 30, and October 1 - December 31) with respect to any person who becomes registered to practice as a Registered Social Worker, Social Worker Candidate, or Registered Social Worker (Provisional) during the calendar year, as set out in Schedule A. Fee amounts will be rounded to the nearest dollar.

(6) An applicant for registration as a Registered Social Worker, Social Worker Candidate, or Registered Social Worker (Provisional) shall pay an application fee and the required registration fee as set out in Schedule A before being registered to practice social work in Nova Scotia.

Student Members and Associate Members (Retired)

Student members

(7) Students in approved social work education programs who are not registered social workers in Nova Scotia may apply for student membership;

(8) Student membership is not registration to practice social work and does not confer the rights of registration;

(9) Student membership will be conferred upon approval of the application by the Executive Director/Executive Director/Registrar and payment of the fee as referred to in Schedule "A;"

(10) Student membership entitles a student to:

- a. Pay a reduced registration fee as referred to in Schedule "A;"
- b. Participate in non-regulatory committees, working groups, and task forces;
- c. Attend College conferences and educational events at student rates;
- d. Receive College newsletters, surveys, and questionnaires, and be entered on the email newsletter;
- e. Receive Canadian Association of Social Workers Journal;
- f. Student members are not eligible for election to the Council of the College;

- g. Student members do have a vote at meetings of Council, Annual General Meetings, or at special meetings called by the President;
- h. Student members shall agree to adhere to the College's Code of Ethics and Standards of Practice.

Associate members (retired)

(11) Social workers may apply for Associate membership (Retired) status if:

- a. Their registration is in good standing;
- b. There are no outstanding complaints laid against them;
- c. They are not practicing social work and do not intend to practice social work in the future.

(12) Associate membership (Retired) will be conferred upon approval of the application by the Executive Director/Registrar and payment of the fee as referred to in Schedule "A."

(13) The Associate membership (Retired) year is the same as the registration year of the College;

(14) Associate membership (Retired) is not registration to practice social work and does not confer the rights of registration;

(15) If Associate members (Retired) engage in the practice of social work, the Associate member (Retired) is deemed to have resumed active practice and shall pay to the College any outstanding fees or penalties, including the annual registration fee or balance thereof, and a further fee, as referred to in Schedule "A", for each relevant year;

(16) Notwithstanding section 8 (d) above, Associate members (Retired) may, for five years subsequent to retiring from the active practice of social work, act as a candidacy supervisor;

(17) Notwithstanding section 8(d) above Associate members (Retired) may engage in the practice of social work during a public emergency;

(18) Associate membership (Retired) entitles an Associate member (Associate Member Retired);

- a. Participate in non-regulatory committees, task forces, or working groups;

- b. Attend College conferences and educational events at retired member rates;
- c. Receive College newsletter, surveys, and questionnaires, and be entered on the listserv;

Schedule of Fees

38. A scale of suggested fees for services provided by social workers in private practice may be set out in Schedule "A" attached hereto and may be amended by the College from time to time.

Schedule "A" Annual and Other Fees

Initial Application Fee

1. The application fee for registration as an Active or Inactive Registered Social Worker, Social Worker Candidate or Registered Social Worker (Provisional) is \$100.00.

Annual Registration and Renewal Fee:

2. Notice of requirement to renew license to practice social work
 - a. The College shall notify each member on or before November 15 of the requirement for annual renewal of their license to practice
 - i. This notification will be by email to the last known email address submitted by the licensee;
 - ii. Registrants are responsible for renewing their Registration to practice social work regardless of whether or not they receive the notice from the College.
3. Members shall renew their registration by completing the annual renewal form and submitting both the form and the renewal fee on or before December 31.
4. The annual registration fee or renewal fee is:
 - a. Active Members: \$416.00; prorated quarterly for new applicants;
 - b. Associate Members: 50% of the regular registration fee
 - c. Registrants may apply for Associate registration, if;

- i. They are eligible for active status;
 - ii. They are not in default of any obligations to the College;
 - iii. They are not practising social work in Nova Scotia on January 1 of the renewal year;
 - iv. They are not practising social work in Nova Scotia for reasons which may include but are not limited to: maternity leave; paternity or parental leave; long-term disability; long term leave of absence; return to school; inability to secure social work employment; residing out of province; retirement from a social work position.
- d. Associate registrants may resume active practice after they have informed the Executive Director/ Registrar of their proposed change of status, have fulfilled the continuing education requirements, submitted the required forms, and have paid any outstanding fees owed to the College. Fees must be paid in full before inactive registrants may resume active status.
- e. If an Associate registrant engages in the practice of social work or uses any of the titles or designations reserved to the profession of social work without their being followed by the word Associate, the Associate registrant is deemed to have resumed active practice and shall pay to the College any outstanding fees or penalties, including the annual registration fee or balance thereof, and a further fee, as referred to in Schedule “a”, for each relevant year.
- f. New Members will pay an annual license fee as follows, prorated from the date of approval to practice or of practice, whichever is first:

	Active	Associate
January 1 - March 31:	\$416	\$208
April 1 - June 30:	\$312	\$156
July 1 - September 30:	\$208	\$104
October 1 - December 31:	\$104	\$52
Student Member	\$10	

Registration year begins January 1st and covers a twelve-month period.

Associate Member (retired)	\$50
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Private Practice Fees

5. The initial application fee for entitlement to engage in private practice is \$50.00.
6. The additional annual fee to engage in private practice is \$50.00.

Other Fees

- i. The fee for an examination of an applicant: \$50
- ii. The fee for hard copy submission of Application or Renewal: \$25
- iii. The fee for duplicate copies of receipts: \$10
- iv. The fee for Reinstatement (Failure to pay fees): \$100
- v. The fee for Reinstatement (from retirement or resignation): \$25