



AASW
.....
**Australian Association
of Social Workers**

*Social work activity and
insurance coverage*

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Introduction

The steps described in this document are intended to assist members in defining social work activities for insurance purposes. This is intended to support a shared understanding of social work activities between the AASW and the insurance broker (currently Sear) and insurance provider (currently Berkley Insurance Australia), so that particular activities which are undertaken by qualified social workers who are members of the AASW are covered by the AASW group member insurance policy (currently the AASW Master Policy with Berkley Insurance Australia (201507-0748 BIA)).

The insurance coverage is not in place on an ongoing or continuous basis for activities which are undertaken if: AASW membership is not renewed by a previous member; members elect not to pay for and accept the option of the AASW Master Policy coverage; or membership eligibility is removed by AASW.

The Master Policy is written on a claims made and notified basis which means that the claim that is made against the Eligible Member has to have been made during the term of the policy in the course of the Eligible Members practice of deemed social work.

In order to rely on insurance coverage, a certificate of currency should be available to the member, such that it could be produced on request, for the relevant timeframe of coverage. Note also that a clause in the Master Policy provides for a run off period of 7 years for Eligible Members, such as those that have retired, so that social work activities undertaken while an insured member remains covered for that subsequent timeframe.

This approach to defining social work activities should be read with the proviso that an exception to coverage applies if the context and circumstances of an activity falls outside of what is deemed to be social work or which represents a potentially heightened risk which must be disclosed to the insurer. In such instances, the activity could not be presumed to be covered by the Master Policy until coverage is confirmed by the insurer or the insurance broker. Coverage may be able to be obtained, for instance with the appropriate payment for an additional policy, through the insurance broker.

Members can consider how they would support their proposition that their activity is to be accepted as social work activity, including that suggested by the following steps. This is not an exhaustive list, and members are expected, where relevant, to provide additional documented evidence which may be put forward to AASW's insurance broker for consideration.

1. Documented evidence that certain activities are taught in the curriculum of an AASW Accredited social work qualification program

Consider if the social work activity is taught in AASW accredited social work qualification programs. Professionally accepted social work activities are taught in the curriculum of AASW Accredited social work qualification programs. The AASW is an Assessing and Accrediting Authority appointed by the Australian Federal Government. AASW provides recognition of social work qualifications, based on the successful completion of curriculum.

As an Accrediting Authority, the AASW accredits the qualifying programs delivered by Higher Education Providers within Australia. The AASW Australian Social Work Education and Accreditation Standards (ASWEAS) standards are used as a measure of acceptable standards.

The accreditation process focuses on profession specific issues. The Tertiary Education Quality and Standards Agency (TEQSA) addresses quality within programs and appropriate governance as covered by the Higher Education Standards Framework. TEQSA accreditation is a demonstration that the programs are of acceptable quality and professionally relevant and comprehensive.

The AASW is therefore well placed to support the recognition of activities and strategies which are taught in AASW accredited curriculum by TEQSA accredited Higher Education Providers as social work activities.

If social workers have been taught how to conduct particular activities in their accredited social work training, these activities are likely to be regarded as social work activities and will provide strong evidence that the activities are social work activities.

2. Documented evidence that relevant authorities require or recognise a social work qualification for potential providers of certain services and activities

Authorities routinely provide guidelines on qualifications which are required for providers of certain services and activities.

For instance, the Federal Government recognises a social work qualification for the purposes of registration as: a National Disability Insurance Scheme provider and an Accredited Family Dispute Resolution Practitioner.

The Federal Government recognises: AASW accredited social workers as potential eligible Medicare providers of nondirective pregnancy support counselling, it is important to point out that the policy contains an Exclusion 9.12 in the wording for *Maternity, Obstetrics and Lactation Consultation*; and AASW Accredited Mental Health Social Workers as potential eligible providers of focussed psychological strategies and management of complex and/ or chronic medical illness.

The occupation of Social worker is defined by the Australian Bureau of Statistics and is recognised under ANZSCO 272511, and tasks which are recognised as part of this skilled employment are broadly identified (see over). These tasks are used as part of skilled employment assessment by AASW as an Assessing Authority recognised by the Australian Federal Government.

These Federal Government and related bodies' view should be accepted unless there is significant contradictory evidence, such that when the activity is provided by a properly qualified and accredited social worker, it is more likely to be accepted as a social work activity.

Relevant authorities, which have powers and responsibilities within Australia, may be relied on if they require or recognise a social work qualification for providers of certain services and activities.

3. Evidence to support an activity as within the scope of social work practice

Further activities may be developed and adopted as social work activity.

Such activities must be supported by a sufficient evidence base, as reflected in professional social work guidelines and relevant peer reviewed published literature.

Given that research informs practice as part of routine innovation in any professional field, activities and strategies may be added to the curriculum of social work qualification programs subsequently.

If such new activities are approved by the AASW and incorporated into accredited AASW training programs such activities should be regarded as social work.

The evidence supporting a particular activity should be brought forward by the inquiring member to the insurer, to support any request that the Master Policy provide coverage for that activity.

4. Consider Continuing Professional Development activities

In some instances, Continuing Professional Development (CPD) activities may provide supporting evidence of professional support for the activity being interpreted as a social work activity.

Endorsement of a CPD course or session by AASW can serve as supporting evidence, but this evidence should not be solely relied on. This is because innovative activities which are yet to be more comprehensively supported by evidence may also be covered in CPD programs.

AASW does not comprehensively assess the content of CPD before advertising CPD so as to endorse each activity as a social work activity. Rather the activities are simply potentially of interest or relevance to members, and AASW applies certain criteria to exclude the AASW advertising of certain activities.

The fact of AASW advertisement or endorsement of a course would not in itself render the activity that is demonstrated or discussed a social work activity that is referable to the Master Policy.

5. Heightened risk and considering the conduct as well as the related activity

The following proviso applies to the interpretation of an activity as a social work activity that may be considered for cover under the AASW Master Policy.

The conduct and circumstances may also be considered in defining social work activity that may be covered under the AASW Master Policy.

Where risks are identified that do not fit within the scope of social work activities or increase the risk of that service then insurance coverage may not be comprehensively provided under the Master Policy. For instance, members in private practice should be mindful of limits to the numbers of social workers they may employ in their practice within the terms of the Master Policy. Coverage under the Master Policy extends to one social worker employed by the insured AASW member. An additional policy may be able to be obtained for circumstances in which more than one social worker is employed. If you engage Administration staff, you need ensure they are formally engaged as employees through an appropriately drafted employment agreement.

Activities involving animals which present heightened risk, such as equine therapy, should be notified to the broker, and advice sought about an appropriate additional policy that may be available. Coverage is at the discretion of the insurer.

Certain conduct which is interpreted as too remote or not connected or not incidental to social work activity will not be considered social work activity. The following will not be covered under the AASW Master Policy: conduct which is judged to be criminal; and conduct which breaches accepted and reasonable standards and is found to have fallen significantly below the standards reasonably expected by a peer of good repute, so as to be judged to amount to serious ethical misconduct.

Conduct which has been judged to have been unsatisfactory by an employer or relevant authority should be notified to the broker / insurer. Subsequent or continued breaches may not be covered or prejudice the cover, and continued coverage for a member remains at the discretion of the insurer.

Conduct which concerns an act or omission in relation to an obligation connected to social work activity such as reasonable steps to maintain the confidentiality of the personal health information in the records of social work activity, would, subject to the terms and conditions of the Master Policy, be expected to be covered. The conduct aspect, in which a breach occurs, could be expected to be covered if it was reasonably connected with a social work activity.

Sear, the broker, has advised that the standard group AASW Master Policy does not provide comprehensive coverage for members for instances of data breaches, such as are notifiable and the mandatory Privacy Act (Notifiable Data Breach) 2017 provisions, in effect from 22 February 2018. The Master Policy cover does not provide for payment of fines, for instance. Members may seek additional coverage for cyber insurance.

6. Supporting documentation

The following proviso applies to the interpretation of an activity as a social work activity that may be expected to be covered under the AASW Master Policy.

Activities which are carried out as a social worker could reasonably be expected to be documented in a way that is consistent with the interpretation of the activity as a social work activity.

Social workers are reasonably expected to have a clear and comprehensive description of the activity that is to be carried, or was carried out, readily available.

In addition, the social workers' own evidence in records kept (including billing, descriptions of services provided, and item numbers used if relevant) would be expected to be consistent rather than inconsistent with this interpretation.

It is essential that all requests for documentation by any regulatory body be referred immediately to the AASW or Sear, the Broker.

Resources and references

Australian Association of Social Workers (AASW) website, Member benefits and services, Insurance

www.aasw.asn.au

<https://www.aasw.asn.au/membership-information/member-benefits-services/member-benefits-services>

Frequently Asked Questions Insurance

<https://www.aasw.asn.au/membership-information/faqs/insurance>

Australian Government, Tertiary Education Quality and Standards Agency (TEQSA)

<https://www.teqsa.gov.au/>

Providers, Provider obligations, referring to Higher Education Standards Framework (Threshold Standards) 2015

<https://www.teqsa.gov.au/conditions-registrationaccreditation>

Australian Government, National Disability Insurance Agency, NDIS Provider Registration Guide to Suitability, November 2017.

https://providertoolkit.ndis.gov.au/sites/g/files/net3066/f/provider_registration_guide_to_suitability.pdf

Australian Government, Attorney-General's Department, Fact Sheet: Accreditation as a Family Dispute Resolution Practitioner, September 2017.

<https://www.ag.gov.au/FamiliesAndMarriage/Families/FamilyDisputeResolution/Pages/Becomingfamilydisputeresolutionpractitioner.aspx>

Australian Government, Department of Health, Fact Sheet for Allied Health Professionals, Better Access to Psychiatrists, Psychologists, and General Practitioners through the MBS (Better Access) initiative.

<http://www.health.gov.au/mentalhealth-betteraccess>

See page: Better access to mental health care: fact sheet for professionals

Information about Medicare rebates available to allied health professionals for selected mental health services provided by GPs, psychiatrists, psychologists and eligible social workers and occupational therapists

<http://www.health.gov.au/internet/main/publishing.nsf/Content/mental-ba-fact-prof>

Federal Government, Australian Bureau of Statistics, 1220.0 - ANZSCO - Australian and New Zealand Standard Classification of Occupations, First Edition, Revision 1, as at 23/5/18.

<http://www.abs.gov.au/ausstats/abs@.nsf/Product+Lookup/1220.0~First+Edition,+Revision+1~Chapter~>

UNIT GROUP 2725 SOCIAL WORKERS

SOCIAL WORKERS assess the social needs of individuals, families and groups, assist and empower people to develop and use the skills and resources needed to resolve social and other problems, and further human wellbeing and human rights, social justice and social development.

Indicative Skill Level:

In Australia and New Zealand:

Most occupations in this unit group have a level of skill commensurate with a bachelor degree or higher qualification. In some instances relevant experience and/or on-the-job training may be required in addition to the formal qualification (ANZSCO Skill Level 1).

Registration or licensing may be required.

Tasks Include:

- acting as a facilitator between clients in need and community services
- assessing resources for health, welfare, recreation, housing, employment and other community services
- providing leadership and assistance for the implementation of pilot projects in community development and self-help, and planning and implementing research projects to address client needs, organisation goals and social policy
- cooperating with community organisations, social agencies and voluntary groups to improve services and develop new services
- conducting individual and family case interviews to identify the nature and extent of clients' problems
- assisting clients to understand and resolve problems by providing information, acting as a mediator and referring them to community and self-help agencies
- analysing, developing, promoting and implementing social policies through the use of practice experience, research, analytic frameworks, and negotiation skills to respond to social need through a fair, equitable and effective allocation of social resources
- monitoring the progress of clients by maintaining contact
- compiling case records and reports

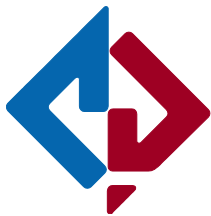
Occupation:

272511 Social Worker

272511 SOCIAL WORKER

Assesses the social needs of individuals, families and groups, assists and empowers people to develop and use the skills and resources needed to resolve social and other problems, and furthers human wellbeing and human rights, social justice and social development. Registration or licensing may be required.

Skill Level: 1



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