

# FAQ's about Regulation Impact Statements

*Matters of specific relevance to registration of social workers are indicated by italics*

## 1. What is an RIS and why is one needed?

A Regulation Impact Statement (RIS) is required for agreements or decisions of the Council of Australian Governments (COAG), Commonwealth-State Ministerial Councils and national standard setting bodies which, when implemented, would encourage or force businesses or individuals to pursue their interests in ways they would not otherwise have done.

## 2. Why do we need to know about them?

RIS's are required by the Standing Council on Health (SCoH) for consideration of new entrants to the National Registration and Accreditation Scheme for Health Practitioners (NRAS).

*Ministers will not make a decision to register social workers without one. Inclusion of social workers in the NRAS would require all social workers to pay the registration fee and comply with the conditions of registration. Employers would be required to employ registered social workers for all positions where a social work qualification is required for employment.*

## 3. What does an RIS involve?

A RIS, under the COAG requirements, is a two stage process involving a RIS for consultation and a RIS for the decision makers. The consultation one is of most relevance to us. An RIS for consultation is a document prepared by officials for consideration by COAG or a Ministerial Council which canvasses the regulatory options being considered in order to determine the relative costs and benefits of those options. The consultation RIS aims to elicit views from affected parties prior to the development of final recommendations for decision makers.

*For social work this would provide all stakeholders including the AASW, employers, educators, consumer groups and other interested parties the opportunity to provide input to the policy process.*

## 4. Are there any examples of an RIS similar to what will apply to social work?

Yes, the latest RIS for inclusion of a profession in NRAS is a consultation proposal prepared by the WA department of health, the sponsoring State, for the inclusion of paramedics. This is a thorough analysis of the risks paramedics pose to the public and the cost benefits of inclusion in NRAS and provides a good example of the level of analysis social work can expect from a similar consultation RIS for social work.

It can be accessed at:

[http://ris.finance.gov.au/files/2012/07/options\\_for\\_regulation\\_of\\_paramedics\\_consultation\\_paper.pdf](http://ris.finance.gov.au/files/2012/07/options_for_regulation_of_paramedics_consultation_paper.pdf)



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## 5. Are there any other risk factors taken into account in the RIS for paramedics relevant for social work?

A range of risk factors highlighted in the Paramedics RIS are *also relevant to social work and include:*

- *any paramedic/social worker with health, conduct or performance issues is free to move to jurisdictions or employers that have less regulatory scrutiny and continue to practise*
- *there are no nationally uniform or consistent legally enforceable qualifications or probity checks (including criminal history) required before a paramedic can commence practice. (There are nationally uniform but not legally enforceable qualifications requirements for social work).*
- *practising without the supervision or support of peers, managers and other regulated staff;*
- *practising with vulnerable or isolated individuals;*
- *highly mobile, locum or short tenure.*

There is a range of paramedic behaviour that may result in serious harm to consumers that are *also relevant to social workers*. Examples include paramedics / social workers who:

- *fail to recognise the limitations of their practice*
- *provide inappropriate treatment which may result in adverse patient outcomes*
- *practise under the influence of alcohol or unlawful drugs*
- *have a physical or mental disorder which affects their capacity to practise, thereby, placing the public at risk*
- *have a criminal history which would make them unsuitable to provide health care*
- *engage in sexual impropriety.*

Other issues of concern when identifying risk for paramedics *that are also relevant to social work include:*

- *Within the expanding private employment market there is no assurance that all employers will use the same degree of rigour in their recruitment and management as those of government related ambulance services, or that they will require the same standards of practice*
- *In terms of quantifying risk few inquiries and reports have addressed or made any specific findings with respect to issues arising from the conduct or performance of individual paramedics. In social work inquiries into social work such as Child Protection inquiries in Victoria, the Northern Territory and Tasmania identify systemic failures rather than individual failures. This makes it more difficult to identify individual examples of social work malpractice.*



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