



TERMS OF REFERENCE OF DISCIPLINARY COMMITTEE

1. **Purpose**

The Disciplinary Committee (DC) is appointed to deal with breaches of professional conduct and the violation of the Singapore Association of Social Workers (SASW) Code of Ethics of the Social Workers endorsed by the Social Work Accreditation and Advisory Board (SWAAB) and reports of criminal offence committed by the accredited social workers and social service practitioners.

2. **Functions**

2.1 The functions of the DC are:

2.1.1 to conduct a full inquiry on complaints brought to the attention of SWAAB by the public or fellow colleagues against an accredited social worker or social service practitioner for breaching professional conduct and/or violating the Code and/or committing a criminal offence; and

2.1.2 to report to and advise SWAAB on whether the act of professional misconduct under complaint and/or a criminal offence has been committed and if so, recommend disciplinary action or corrective measure to be taken, and if not, to dismiss the complaint.

3. **Composition**

3.1 The Committee shall comprise the following five members who will be appointed from a pool of qualified individuals:

3.1.1 A member of the Social Work Accreditation and Advisory Board who shall be the Chairperson of the Committee.

3.1.2 A person with a legal qualification and at least 8 years of relevant experience.

3.1.3 A representative from the Singapore Association of Social Workers.

3.1.4 A Registered Social Worker with at least 8 years' social work experience.

3.1.5 A Registered Social Service Practitioner with at least 8 years' related work experience.

3.2 All the Committee members except for the one in section 3.1.3 shall be chosen and appointed by SWAAB.

3.3 The Head, Accreditation Secretariat shall be the Honorary Secretary of the Committee who shall not have any voting rights.

4. Term of Office

4.1 The Committee shall be appointed on an ad hoc and need basis. Members shall serve on the Committee for the duration of the investigation until such time when its recommendation has been accepted by SWAAB.

5. Quorum

5.1 The quorum for Committee meetings and inquiry sessions to consider a complaint shall be a simple majority of three members.

6. Duties of Office-Bearers

6.1 The Chairperson of the Committee shall preside at meetings and inquiry sessions.

6.2 The Honorary Secretary of the Committee shall:

6.2.1 arrange and attend all meetings and inquiry sessions of the Committee;

6.2.2 record minutes of meetings ;

6.2.3 follow up with SWAAB on the appointment of alternate members to replace Committee members who are disqualified from the Meetings of Inquiry on the ground that they may not be impartial;

6.2.4 maintain the records and papers of the Committee;

6.2.5 prepare reports for submission to SWAAB; and

6.2.6 carry out any other duties as required of the Committee.

7. Procedures

7.1 Upon receipt of the notice from the Head, Accreditation Secretariat on SWAAB's instructions to inquire into a complaint, the Honorary Secretary of the Committee shall arrange for a preliminary meeting of the Committee to assess the complaint within 15 working days of receiving such notice.

7.2 The Honorary Secretary shall contact members of the Committee to inform them of the intended meeting. Within 5 working days of being notified of the intended meeting, a member of the Committee may disqualify himself from the inquiry on the ground that he may not be impartial.

- 7.3 Where there is such a disqualification, SWAAB shall within 5 working days of the request of the Honorary Secretary, appoint an alternate member to replace the disqualified member before the meeting.
- 7.4 At the preliminary meeting, the Committee shall consider the grounds for the complaint. If it is satisfied that there are sufficient grounds for the inquiry, it shall notify the RSW-P, RSW or RSSP under complaint of its intention to convene an inquiry of the allegation. Such notice shall be delivered by registered mail to the postal home address of the person under complaint as kept in the Register.
- 7.5 The RSW-P, RSW or RSSP under complaint may respond to the inquiry either through (a) a written statement explaining the matter, or (b) a signed agreement on a prescribed form stating that he will attend an oral inquiry to explain the matter, or (c) both. The reply proforma is available at the Accreditation Secretariat or on the SASW website. (See Annex 5 for Reply Proforma for Inquiry).
- 7.6 If the RSW-P, RSW or RSSP under complaint fails to respond to the notice to respond to the inquiry or attend the inquiry session without reasons that are acceptable to the Committee, he may be suspended from his accreditation status for the rest of the duration of his current period of accreditation.
- 7.7 At the inquiry, the complainant, the RSW-P, RSW or RSSP under complaint and the witnesses (if any) shall present their case. The RSW-P, RSW or RSSP under complaint shall be entitled to:
- 7.7.1 inquire into all evidence produced
 - 7.7.2 examine relevant documents or other evidence; and
 - 7.7.3 call any witness and produce any documents or other evidence.
- 7.8 Members of the Committee shall determine by a simple majority, on whether the complaint is substantiated and if so, what disciplinary action or corrective measure shall be taken against the person under complaint.

8. Decision of Action

- 8.1 The Committee may recommend any of the following actions to SWAAB if the complaint is established to be valid:
- 8.1.1 Terminate the accreditation status of the RSW-P, RSW or RSSP under complaint and permanently remove his name from the Register;
 - 8.1.2 Suspend the accreditation status of the RSW-P, RSW or RSSP for a specified period of time as SWAAB deems fit and remove his name from the Register during this period;
 - 8.1.3 Issue a written reprimand to the RSW-P, RSW or RSSP;

- 8.1.4 Carry out an oral admonishment by the Chairman or a member of SWAAB;
or
- 8.1.5 Take appropriate corrective measures.
- 8.2 The Committee may also recommend to SWAAB on the manner in which the notice of termination, suspension or reprimand shall be made known to the other registered social workers and registered social service practitioners, the complainant(s) and where necessary, the employer and the public.
- 8.3 The Committee's recommendation shall be considered by SWAAB, who may endorse or not endorse the recommendation, or refer the complaint back to the Committee for further investigation.