



Ag Rialáil Gairmithe Sláinte  
agus Cúraim Shóisialaigh

Regulating Health +  
Social Care Professionals

# Public Consultation Report

Election of Members for Appointment to the Social  
Workers Registration Board Bye-Law

April 2014



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## Introduction

### **About the Social Workers Registration Board**

The Social Workers Registration Board has statutory responsibility for the registration of members of the profession; approval and monitoring of education and training programmes; establishing the code of professional conduct and ethics and standards of performance to which social workers must adhere and recognition of qualifications gained outside the State.

### **About CORU**

CORU is responsible for regulating health and social care professions. It comprises the Health and Social Care Professionals Council and the registration boards established under the Health and Social Care Professionals Act 2005 (as amended).

CORU's role is to protect the public by promoting high standards of professional conduct, professional education, training and competence amongst the designated professions.

The designated professions under the Act are social workers, clinical biochemists, dietitians, medical scientists, occupational therapists, orthoptists, physiotherapists, podiatrists, psychologists, radiographers, social care workers and speech and language therapists.



## **The Public Consultation Process**

### **Background**

In 2012, the Social Workers Registration Board made a Bye-Law relating to the election of members for appointment to the Board. The Board now proposes to make technical amendments to the Bye-Law.

These proposed amendments include:

- To facilitate the filling of multiple vacancies in the election including those that have not been filled through previous elections;
- To provide for safeguards against conflict of interest relating to scrutineers;
- To provide for the appointment of alternate scrutineers;
- To clarify the procedures relating to the opening of inner envelopes.

### **Publicising the Consultation Process**

A public consultation on the proposed amendments was held between 13 February and 14 March 2014.

A number of channels were used to publicise the consultation process and invite the submission of observations. These included:

- An advertisement was placed in the Irish Independent on 13 February.
- A press release was placed on [www.coru.ie](http://www.coru.ie) (See appendix two for a copy of the press release).
- An online survey was developed. An email with a link was also sent to a targeted list of over 700 stakeholders, including the Professional Bodies, Trade Unions, educators and other interested parties who have previously corresponded with CORU (see appendix 3 for a copy of the survey).
- Information on the consultation along with a link to the online feedback form was hosted on the CORU website.

People were invited to participate in the consultation process in a number of ways:

- They could ring CORU to request a copy of the draft amendments, and to offer feedback
- They could visit CORU's office to view the draft amendments and give their feedback in person.



- They could visit [www.coru.ie](http://www.coru.ie) and choose to complete an online feedback form, to print a copy of the form and post it, or email it to CORU.
- They could email submissions to [consultation@coru.ie](mailto:consultation@coru.ie)

### **Overview of responses to consultation**

There were 12 responses to the online survey:

Respondents were asked to identify if they were offering feedback on their own behalf or on behalf of an institution or organisation.

Individual	5
Organisation	4
Institution	3

Submissions were received on behalf of the following institutions and organisations:

- Department of Children and Youth Affairs
- Health Information Quality Authority (HIQA)
- Impact
- National University Ireland Galway (NUIG)
- Nursing and Midwifery Board of Ireland
- Psychological Society of Ireland
- The Irish Medical Council

### **Acknowledgements**

CORU would like to extend our appreciation and thanks to all those that participated in the consultation process. The submissions and responses received through the consultation process were reviewed by the Social Workers Registration Board at its meeting on 23 April 2014.



## Issues emerging from the consultation process

### Powers and functions of the Returning Officer

It was suggested that these powers should be open and accountable to ensure no one or group gains unfair advantage by the Returning Officer's changes, and that there should be a system of appeal or review for the public where they believe that such changes has led to inequality and/or unfair procedures.

One respondent felt that this is quite a significant power to be given to the Returning Officer which could really influence any or all elections. Correct use of these powers would be totally dependent on the person using it.

**Our Response:** The Bye-Law sets out clearly the powers and functions of the Returning Officer. Provisions are made in the Bye-Law regarding conflict of interest and conduct of the election. In addition the Bye-Law provides for the appointment of independent scrutineers to ensure the election is carried out fairly and properly.

The Returning Officer has a statutory responsibility to ensure the validity and integrity of the nomination and Election processes. The Bye-Law provides that the counting of votes will be in accordance with the Electoral Act 1992. All decisions in relation to votes will be taken in public with scrutineers and candidates or their agents present.

### Scrutineers

It was suggested that scrutineers should be appointed in a transparent and accountable manner and that there should be a system of appeal or review for the public when they believe such appointments have not been made appropriately.

One respondent expressed a strong view that there should be significant transparency in the election and scrutineering procedures so that the Board is capable of carrying out its duties in a fair and transparent manner.

**Our Response:** The Board may request Council to appoint scrutineers. Council will apply the principles of accountability and transparency in making these appointments. The Bye-Law sets out clear provisions regarding the ruling of valid nominations which will be carried out in the presence of scrutineers. The procedure for the counting of votes is in accordance with the Electoral Act 1992 and will be carried out in the presence of scrutineers and candidates or their agents.



## Notice of Election

It was suggested that enough time should be allowed to communicate vacancies to the public and allow interested parties to respond. 56 days was felt to be reasonable, however, whatever the agreed time period is must be communicated clearly to all.

One respondent said that there is an onus on the Returning Officer, and the Board, to ensure that the system of notification reaches all those who have a vote and are entitled to vote.

**Our Response:** A notice will be placed in a national newspaper and on CORU website. All persons eligible to participate in the election process will be notified of the election.

## Counting of votes

The importance of transparency and clarity was reinforced in the comments.

It was suggested that it might be necessary to get an outside agency to oversee the security and reliability of all of the votes, in order to ensure there can be no concern as to the credibility of the process.

**Our Response:** The Bye-law makes very clear provisions relating to the conduct of the election and the counting of votes. Independent scrutineers will be appointed to monitor the process of determining the validity of nominations and that the counting of votes is carried out in accordance with the bye-law in an honest, fair and accurate manner.

## Other issues raised by respondents

A respondent asked if the notice for elections could be sent to registrants by email.

**Our Response:** It will be possible to send notification by email to all persons eligible to participate in the election process.

In Section 8 (2), Respondent queried the fact that no registrant may be a candidate for election in respect of more than one category



**Our Response:** This is to avoid the potential of a candidate being elected in more than one category and subsequent election process that would be required.

In Section 9 (1) Respondent suggested that there would be only one nomination form for each candidate and delivered to the Returning Officer

**Our Response:** This is the intention as outlined in Section 9 (1) (a)

In Section 10, the importance of the categories for election to be more clearly defined with clear eligibility criteria was identified by a respondent.

**Our Response:** The categories are as laid out in the 2005 Act (Amended)

In Section 10 (2), Respondent sought for “relevant information” to be more clearly defined

**Our Response:** This is to provide the Returning Officer with ability to seek information from a nominee on the validity of a nomination.

In Section 12, Respondent suggested the replacement of “as soon as practicable” to a definite time frame in keeping with earlier sections

**Our Response:** The interpretation here is to facilitate the workload required for the Returning Officer to confirm and complete the publication of valid nominated candidates

In Section 21 (1) Respondent sought clarity if “declaration of those elected” is just the formal procedure in compliance with Section 28 of the Act.

**Our Response:** This is the formal procedure in compliance with Section 28 of the Act.



## Appendix 1: Press release

### Public Consultation - Election of Members for Appointment to Social Workers Registration Board

February, 2014

In 2014, elections will take place to appoint members to the [Social Workers Registration Board](#).

This is the second election of members to the Board and the vacancies to be filled are

- Category 1:– Two vacancies for registrants who are engaged in the practice of the profession
- Category 2:– Two vacancies for registrants who are engaged in the management of services provided by the profession
- Category 3:– One vacancy for a registrant who is engaged in the education and training of persons in the State with respect to the practice of the profession

The Board made a bye-law to set out the conduct of elections for the appointment of members to the Board in 2012 under the [Health and Social Care Professionals Act 2005 \(as amended\)](#).

Proposed Amendments to Bye-Law:

We are seeking your views on the proposed amendments to the bye-law [Election of members for appointment to the Social Workers Registration Board \(2014\)](#) for consideration before it is made by the Board with Council approval.

It is proposed to make technical amendments to the bye-law, including:

- To facilitate the filling of multiple vacancies in the election including those that have not been filled through previous elections
- To provide for safeguards against conflict of interest relating to scrutineers
- To provide for the appointment of alternate scrutineers
- To clarify the procedures relating to the opening of inner envelopes.

You can view the [Election of members for appointment to the Social Workers Registration Board Bye- Law 2012](#).

#### Your views:

Comments can be submitted as follows -

Via an online consultation feedback form: [here](#)

By emailing [consultation@coru.ie](mailto:consultation@coru.ie)

Social Workers Registration Board



In writing to Public Consultation, CORU, 13 - 15 The Mall, Beacon Court, Bracken Rd., Sandyford, Dublin 18.

A report outlining the consultation process will be published following consideration of all submissions.

**Closing Date:**

The consultation process will close at 5pm on Friday 14 March 2014.  
Any submissions received after this time will not be considered.



## Appendix 2: Copy of Advertisement

A public consultation poster for the Social Workers Registration Board. The poster features the CORU logo in the top left, the text 'Ag Meáil Bainne na Sáinte agus Cúram Shóisialaigh' and 'Regulating Health & Social Care Professionals' below it, and 'Public Consultation' in large blue letters on the right. The main title is 'Bye-law: Election of Members for Appointment to Social Workers Registration Board'. The text explains that the board seeks views on amendments to its bye-law. It provides the website 'www.coru.ie' for further information and states the closing date for submissions is 5pm on Friday 14 March 2014. A note at the bottom states that submissions received after this time will not be considered. The poster has a blue and black wavy graphic at the bottom.

 **Ag Meáil Bainne na Sáinte  
agus Cúram Shóisialaigh**  
Regulating Health & Social Care Professionals

**Public  
Consultation**

**Bye-law: Election of Members for  
Appointment to Social Workers  
Registration Board**

The Social Workers Registration Board seeks the views of the public, the profession and other interested parties on amendments to the bye-law governing the election of members for appointment to the Social Workers Registration Board.

Further information is available at [www.coru.ie](http://www.coru.ie)

**Closing date for submissions is 5pm,  
Friday 14 March 2014.**

Submissions received after this time will not be considered.



## Appendix 3: Copy of Online Feedback Form

### Election of Members for Appointment to the Social Workers Registration Board Bye-Law 2014

#### Social Workers Registration Board

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In 2012, the Social Workers Registration Board made a Bye-Law relating to the election of members for appointment to the Board.

The Board now proposes to make technical amendments to the Bye-Law, and have launched a public consultation seeking the views of the public, the professions and other interested parties on the bye-law before its final approval by the Board.

A number of consultation questions have been prepared for your consideration when reviewing the draft bye-law. We encourage responses to all of the questions as well as any additional comments that you would like to make.

The consultation process will close at 5pm on Friday 14 March 2014. We will then assess all feedback as we finalise our **ELECTION OF MEMBERS FOR APPOINTMENT TO THE SOCIAL WORKERS REGISTRATION BOARD BYE-LAW 2014.**

A report on the consultation process will be published on [www.coru.ie](http://www.coru.ie).

If you wish to do so, you can request that your name and/or organisation be kept confidential and excluded from the published report. Please note that we may use your details to contact you about your responses. We do not intend to send responses to each individual respondent



If you have any questions, or if you require further information, please contact CORU on 01 2933160 or email [info@coru.ie](mailto:info@coru.ie)

We thank you in advance for your participation in this consultation.

Yours sincerely,

\_\_\_\_\_  
Ginny Hanrahan, CEO

**Details of Respondent**

Name: .....

Address: .....

Contact Details

Email: .....

Telephone: .....

**Are you replying in a personal capacity or on behalf of an institution or organisation? Mark the relevant box with a  in the Table below.**

Personal capacity	<input type="checkbox"/>
On behalf of an institution	<input type="checkbox"/>
On behalf of an organisation	<input type="checkbox"/>

If you are replying on behalf of an institution or organisation, please enter the name of this institution or organisation:

.....

Please indicate below if you would like your name and/or organisation to be kept confidential and excluded from the published summary of responses. It would be helpful if you could explain to us if you regard the information you have provided as confidential.

.....



1. **Provision is being made to enable the Returning Officer to adjust or revise the dates for establishing the electoral register, the closing date for receipt of nominations, the date for the opening of the poll and the closing date for receipt of ballot papers should it be considered necessary. Do you have any comments to make on the amendments to the section of the Bye-Law dealing with the powers and functions of the Returning Officer**

2. **Provision is being made for a) the appointment of alternate scrutineers in the event that the appointed scrutineer is unavailable and b) for safeguards against conflict of interest. Do you have any comments to make on the proposed amendments to the section of the Bye-Law dealing with Scrutineers?**

3. **The bye-law provides that the Returning Officer will publish notice of the holding of the election no later than 56 days before the expiry of the members' term of office. It is proposed to amend the bye-law to provide for the filling of any existing vacancies as well as those due to expire. Do you have any comments to make on the amendments to the section of the Bye-Law dealing with the notice of election?**

4. **It is proposed to amend the provisions relating to the counting of votes to provide greater clarity on the procedure for dealing with inner envelopes. Do you have any comments to make on the amendments to the section of the Bye-Law dealing with the counting of votes?**

5. **Are there any other comments you wish to make?**

.....

*Thank you for participating in this consultation.*