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## BOARD NOTICE

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### BOARD NOTICE 56 OF 2014

## **BOARD NOTICE OF 2014 FOR PUBLIC COMMENTS SOUTH AFRICAN COUNCIL FOR SOCIAL SERVICE PROFESSIONS (SACSSP)**

**CALL FOR COMMENTS ON THE REGULATIONS FOR REGISTRATRIION OF  
STUDENT CHILD AND YOUTH CARE WORKERS AND THE HOLDING OF  
DISCIPLINARY INQUIRIES; REGISTRATION OF CHILD AND YOUTH CARE  
WORKERS; FEES PAYABLE BY CHILD AND YOUTH CARE WORKERS,  
AUXILIARY CHILD AND YOUTH CARE WORKERS;**

**RULES RELATING TO ACTS OR OMISSIONS OF CHILD AND YOUTH CARE  
WORKER AT PROFESIONAL AND AUXILIARY LEVELS AND STUDENT CHILD  
AND YOUTH CARE WORKER WHICH CONSTITUTE UNPROFESSIONAL OR  
IMPROPER CONDUCT, AND RULES RELATING TO CONDUCT TO BE FOLLOWED  
BY CHILD AND YOUTH CARE WORKERS IN PRACTISING OF THEIR  
PROFESSION (CODE OF ETHICS)**

**IN TERMS OF THE SOCIAL SERVICE PROFESSIONS ACT, 1978 OF 110, AS  
AMENDED**

The South African Council for Social Service Professions (SACSSP) has drafted the following regulations and rules relating to the registration of child and youth care with the SACSSP as provided for in The Social Service Professions Act No 110, 1978 as amended.

- ✓ Regulations for the registration of Student Child and Youth Care Workers and the holding of disciplinary inquiries.
- ✓ Rules relating to acts or omissions of Child and Youth Care Workers at professional and auxiliary levels and student child and youth care workers which shall constitute unprofessional conduct.

Interested persons or organisations are hereby invited to submit written comments on the draft regulations and rules within 30 calendar days from the date of publication. Comments must be forwarded to the Registrar, by **30 June 2014 at 16H00.**

**(a) Post to:**

The South African Council for Social Service Professions  
Private Bag X12  
**GEZINA**  
0031;

**(b) Hand deliver to:**

The South African Council for Social Service Professions  
37 Annie Botha Avenue  
Riviera  
**PRETORIA**  
0084;

**(c) Fax to:**

+27 (0)12 356 8400; and/or 0866 078563

**(d) By email to:**

registrar@sacssp.co.za

Comments received after **30 June 2013, 16H00** will not be considered.

Yours Faithfully



Mrs. Iveda V Smith  
**REGISTRAR/CEO**

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**Definitions**

**1.** In these regulations any word or expression to which a meaning has been assigned in the Act shall have such meaning and, unless the context otherwise indicates-

**"Act"** means the Social Service Professions Act, 1978 (Act No.110 of 1978)

**"annual fee"** means the annual fee referred to in regulation 21;

**"auxiliary category of registration"** means the category of registration which allows a child and youth care worker to practise the acts referred to in regulation 19;

**"behaviour management"** means the prevention and correction by a child and youth care worker of inappropriate behaviour of a child, and includes the teaching of appropriate behaviour to a child;

**"certificate of registration"** means a certificate of registration referred to in section 17A or 18A of the Act;

**"child"** means a person under the age of 18 years;

**"child and Youth Care work"** means the acts performed by a child and youth care worker which focuses on children and Youth within the context of the family, the community, and the life span of a person;

**"child and youth care worker"** means a person registered under section 18A of the Act;

**"Council"** means the South African Council for Social Service Professions (SACSSP);

**"developmental assessment"** means the process of establishing a comprehensive profile of the behaviour and development of a child;

**"FET"** means further education and training;

**"life-space"** means the environment in which an individual's daily flow of activities take place;

**"NQFA"** means the National Qualifications Framework Act, 2008 (Act No. 67 of 2008);

**"planned environments"** means environments which are created with the purpose of optimising the development and healing of a child;

**"prescribed"** means as prescribed by regulation;

**"professional category of registration"** means the category of registration which allows a child and youth care worker to practice the acts referred to in these regulations;

**"qualification"** means a qualification registered by the Council, or prior to the date gazetted date for registration, recognized by the Council;

**"register"** means a register referred to in section 19(1) of the Act;

**"RSA"** means Republic of South Africa;

**"SAQA"** means South African Qualifications Authority;

**"student"** means a person studying child and Youth Care work at either professional or auxiliary level;

**"supervision"** means support and guidance provided to a child and youth care worker to facilitate his or her development in the work environment;

**"training provider"** means for the purposes of these regulations, a recognized and accredited body that delivers learning programmes focused on the achievement of specified NQF registered qualifications and standards on SAQA database and manages the assessment of learning achievements or prior to the



existence of SAQA a body recognized by the Council for this purpose; and

**"Youth"** means a child between the ages of 13 and 18.

### **Objects of regulations**

2. The objects of these regulations are to provide for matters which are necessary for the proper administration of registration of a student child and youth care worker.

### **Conditions of registration as student child and youth care worker**

3. (1) A person may register as a student child and youth care worker with the Council if the person:

- (a) is registered with any training provider in the RSA from his or her first year of study; or
- (b) is serving practicals with an organisation from the first year of registration.

(2) The Council may approve registration applications from a student child and youth care worker from outside the RSA, who wishes to do practical learning in the RSA: Provided that such student submits documentary proof as required in terms of these regulations.

### **Application for registration**

4.(1) A student child and youth care worker referred to in regulation 3 must apply on or before 31 March of the year of study concerned for registration as a student child and youth care worker on a form obtainable from the Registrar.

(2) Such application must be accompanied by –

- (a) a certified copy of the applicant's identity document or passport if applicable, proof of residence and residence permit number if applicable;

- (b) a certified copy of the applicant's original academic record at the accredited training provider, indicating the subjects, modules and number of year courses passed in each subject as well as those for which he or she is enrolled;
  - (c) a certified copy of the marriage certificate whether a civil union or customary union and proof of change of surname where applicable; and
  - (d) the prescribed registration fee.
- (3) A person who-
- (a) has abandoned his or her study in Child and Youth Care Work for a period of three years must re-apply for registration as a student child and youth care worker and pay the registration fee as prescribed; or
  - (b) cannot be registered as a child and youth care worker in terms of the Act, and who wishes to enrol for a qualification in Child and Youth Care Work shall register on or before 31 March of the first year of such study as a student child and youth care worker and pay such prescribed fee for such registration.

(4) An applicant must ensure that all documents are at least translated in English by a translator and such translation must be commissioned by a commissioner of oath before the applicant sends it to the Registrar.

### **Certificate of registration**

**5.** (1) The Registrar shall issue to every student child and youth care worker a certificate of registration in the form approved by the Council.

(2) The certificate of registration referred to in sub-regulation (1) shall be deemed to have been withdrawn from the date on

which the name of the holder thereof was removed from the register concerned.

(3) If the Registrar is satisfied that a certificate of registration has been destroyed or lost, he or she may, upon application by the student child and youth care worker and upon payment of the prescribed fee, issue a duplicate registration certificate.

### **Payments to Council**

6. All payments to the Council must be in the currency of RSA.

### **Recording of particulars**

7.(1) The Registrar shall record in the register the following details referred to in section 19(1) of the Act in respect of student child and youth care worker-

- (a) surname;
- (b) previous surname if applicable;
- (c) first names;
- (d) title;
- (e) gender;
- (f) identity or resident's permit number;
- (g) home language;
- (h) date of birth;
- (i) residential address;
- (j) postal address;
- (k) contact details such as telephone number, cellular no, fax number and email address;
- (l) qualifications, institution obtained and year of obtained;
- (m) registration number;
- (n) registration date;
- (o) disciplinary steps in terms of section 22 of the Act;
- (p) nationality;
- (q) race;

- (r) country of origin;
- (s) current employer;
- (t) setting of practice and indicate whether-
  - (i) urban;
  - (ii) rural;
  - (iii) Government;
  - (iv) NGO;
  - (v) business; or
  - (vi) private practice;
- (u) person with disability; and
- (v) specialized fields of practice where applicable.

(2) The name of a student child and youth care worker shall be removed from the register as soon as he or she is registered as a child and youth care worker, or as soon as proof is submitted to the satisfaction of the Registrar that such student child and youth care worker has successfully completed his or her course; or has abandoned his or her studies.

(3) The register shall, upon payment of the prescribed fee for inspection, be open for such inspection during normal office hours to any member of the public who has professional interest therein.

(4) The Registrar may, at the request of any person who in the opinion of the Registrar has a professional interest therein and upon payment of the prescribed fee and subject to such conditions as the Council in general or in a particular case may determine, issue to such person an extract from the register.

(5) The Council may grant to a person who desires to examine or make extracts from the register partial or total exemption from the fees referred to in sub regulation (3) and (4).

(6) The Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) may also be used to access information.

**Application for restoration in register**

8. An application for restoration as contemplated in section 20(3) of the Act shall be made on a form obtainable from the Registrar and such application shall be accompanied by the prescribed restoration fee.

**Application for re-registration or termination of suspension**

9. Application for re-registration or termination of suspension as contemplated in section 22(4) and (5) of the Act shall be made on a form obtainable from the Registrar and such application shall in the case of an application for–

- (a) re-registration, be accompanied by the prescribed fee; and
- (b) termination of the suspension of a registration, be accompanied by the prescribed registration fee if it has not been paid.

**Change of name, residential and postal address**

10. (1) Every student child and youth care worker who is registered under the Act must notify the Registrar in writing–

- (a) within three months of any change of name and supply supporting evidence thereof; and
- (b) within six weeks of any change of residential and postal address and supply supporting evidence thereof.

(2) Upon receipt of a notice contemplated in sub regulation (1) the Registrar shall update the register as contemplated in section 19 of the Act.

**Provision of name lists**

**11.** Every training provider shall submit to the Registrar on or before 31 July of every year a list with the full name and year of study of every student in Child and Youth Care Work in respect of all-

- (a) students from their first year of study who are so enrolled at such training providers on 1 May of that year;
- (b) student child and youth care workers who abandoned their study during the previous twelve months, specifying the date of abandonment;
- (c) student child and youth care workers who temporarily abandoned their study during the previous twelve months, specifying the reasons for-
  - (i) such temporary abandonment; and
  - (ii) the date on which the students concerned expect to resume their study;
- (d) students who after temporary abandonment of their study resumed their study during the previous twelve months, specifying the date of resumption; and
- (e) student child and youth care workers who during the previous twelve months obtained the qualification for which they were registered.

**Disclosure of criminal offences**

**12.** (1) Every person applying for registration as a student child and youth care worker and who has been convicted of a criminal offence must disclose such an offence to the Council.

(2) All training providers must inform the Council of the outcome of any allegation of a criminal offence that led to a disciplinary hearing during which any person registered to study child and youth care work with that training provider was found guilty and convicted.

(3) Failure to disclose information referred to in sub regulation (1) may result in the removal of the person's name from the register.

### **Disqualification from registration**

**13.** Any person whose name is entered into Part B of the Child Protection Register, established in terms of the Children's Act, 2005 (Act No. 38 of 2005) shall not be eligible for registration as a child and youth care worker with the Council.

### **Disciplinary inquiries**

**14.** The regulations regarding the conducting of inquiries into alleged unprofessional conduct, published by Government Notice R917 in Government Gazette No. 25109 on 27 June 2003 shall with the necessary amendments as required by the context apply to the holding of disciplinary inquiries with regard to student child and youth care workers.

### **Transition clause**

**15.** The provision of regulation 3(3) (a) of the Regulations shall remain in force for a student child and youth care worker who was registered as a student child and youth care worker before the commencement of these regulations.

## **REGISTRATION OF CHILD AND YOUTH CARE WORKERS**

### **Requirements for registration as child and youth care worker in professional category of registration**

**16.** (1) Any person who possesses the following qualifications may apply for registration as a child and youth care worker within the professional category of registration:

- (a) A professional degree in Child and Youth Care equivalent to a NQF Level 8 qualification registered with SAQA;
- (b) B: Tech Child and Youth Development NQF Level 7 or such other level as SAQA may determine: provided that the applicant submits a portfolio of evidence, which must include an assessment proving that the applicant meets the outcomes reflected in the professional degree referred to in sub-regulation 16(1)(a);
- (c) a degree in Human Sciences equivalent to an NQF Level 7 qualification obtained prior to the promulgation of these Regulations and approved by



the Council plus a combination of both theoretical and practical learning in child and Youth Care obtained over a period equivalent to 24 calendar months; provided that the applicant submits a portfolio of evidence, which must include an assessment proving that the applicant meets the outcomes reflected in the professional degree referred to in sub-regulation 16(1)(a);

- (d) a qualification in Child and Youth Care equivalent to an NQF Level 6 qualification and approved by the Council plus practical learning in child and youth care obtained over a period equivalent to 12 calendar months subsequent to the completion of the qualification: Provided that the applicant submits a portfolio of evidence, which must include an assessment proving that the applicant meets the outcomes reflected in the professional degree referred to in sub-regulation 16(1) (a); and
- (e) the qualifications referred to in sub-regulations 16(1) (a) to (d) may be obtained through RPL, provided that no more than 50% of the qualification may be obtained through RPL.

### **Requirements for registration as child and youth care worker in auxiliary category of registration**

**17.** (1) The following qualifications will entitle the holder thereof to apply for registration as a child and youth care worker within the auxiliary category of registration:

- (a) FET Certificate in child and youth care equivalent to an NQF Level 4 qualification registered with SAQA;
- (b) theoretical and practical learning obtained prior to the commencement of compulsory registration in

terms of these Regulations approved by the Council equivalent to 1650 hours;

- (c) provided that the applicant submits a portfolio of evidence, which must include an assessment proving that the candidate meets the outcomes reflected in the FET Certificate in child and youth care work; and
- (d) the qualifications referred to in (a) and (b) may be obtained partially or as a whole through RPL.

(2) A person who, on the date of the commencement of these regulations, does not meet the requirements for registration as a child and youth care worker within the auxiliary category of registration, may apply for such registration if he or she meets the following requirements:

- (a) provides documentary proof acceptable to the Council that he or she was practicing and/or employed as a child and youth care worker on the date of commencement of these regulations;
- (b) provides a job description acceptable to the Council from his or her employer indicating that he or she meets the job profile of a child and youth care worker;
- (c) submits a declaration to the Council to the effect that the content of the job description and employment designation is a true reflection of his or her employment contract with the employer concerned; and
- (d) provided that such person shall apply within a period of 3 years from the promulgation of these regulations for registration as a child and youth care worker in terms of sections 16(1)(a); or (e); 17(1)((a) or (d) of these regulations.

**Scope of practice for child and youth care work within professional category of registration**

**18.** The scope of practice of a child and youth care worker, who has complied with the requirements for registration within the professional category of registration, may include the following:

- (a) Care and development of children and youth where their-
  - (i) physical;
  - (ii) emotional;
  - (iii) spiritual;
  - (iv) cognitive;
  - (v) social survival; and
  - (vi) developmental needs are protected;
- (b) behaviour management of an individual child or of groups of children;
- (c) design and implementation of programmes for children and youth on the basis of their identified developmental needs;
- (d) developmental assessment of children and youth within their life-space;
- (e) development and maintenance of planned environments in child and Youth Care work;
- (f) implementation of life-space work;
- (g) undertaking of child and youth care work administration;
- (h) developmental play;
- (i) advocacy for the rights of children;
- (j) policy development in the field of child and youth care;
- (k) consulting, supervision management and directing of child and youth care workers;

- (l) participating in and the leading of multi-disciplinary teams; and
- (m) life-space counselling.

**Scope of practice for child and youth care work within auxiliary category of registration**

**19.** The scope of practice of a child and youth care worker, who has complied with the requirements for registration within the auxiliary category of registration, may include the following acts practiced under the supervision of a registered child and youth care worker:

- (a) the provision of basic and developmental Care of children and youth where their physical, emotional, spiritual, cognitive and social needs are protected;
- (b) the application of behaviour management and support techniques in routine child and youth Care work;
- (c) assistance with the implementation of programmes and activities for children and Youth on the basis of their identified developmental needs;
- (d) participation in the developmental assessment of children and youth;
- (e) the maintenance of planned environments in child and youth care work;
- (f) the implementation of life-space work, including life-space counselling;
- (g) the undertaking of basic child and youth care work administration;
- (h) participation in a multi-disciplinary team;
- (i) developmental play; and
- (j) advocacy for the rights of children.

**Application for registration**

**20.(1)** An application for registration as a child and youth care worker must be made on a form similar to the form attached as Annexure C to these regulations which is also obtainable from the registrar of the Council.

(2) Such application form must be accompanied by –

- (a) a certified copy of the applicants identity document or passport, proof of residence and residence permit number if applicable.;
- (b) a certified copy of the qualification on the basis of which application is being made for registration;
- (c) a certified copy of the summary of results from the training provider or the competency of the applicant pertaining to the achievement of outcomes of the qualification;
- (d) in the case of a child and youth care worker practicing within the auxiliary category, a confirmation from his or her employer that the child and youth care worker will function under a registered child and youth care worker;
- (e) proof that the applicant was able to register and/or practice in their country of origin;
- (f) in the case of a qualification obtained outside the Republic of South Africa, a certified copy of-
  - (i) documentary proof from the institution where the applicant received the education and training of the courses completed and proof that the content of the theoretical and practical learning that was received is equivalent to qualifications as stipulated in these regulations;
  - (ii) documentary proof that the institution where the applicant received the education and training in child and youth care is accredited,

- specifying the body of accreditation, or if not accredited, proof of any other form of recognition that the institution has; and
- (iii) in the case of an institution that is accredited, documentary proof from the accrediting body that the qualification is or was the accepted education and training for child and youth care in the country concerned;
- (g) the prescribed registration fee; and
- (h) the annual fee referred to in these regulations.

### **Certificate of registration**

#### **21. (1) A certificate of registration-**

- (a) must be in a form determined by the Council;
- (b) must be signed by the President of South African Council for Social service Professions and the registrar; and
- (c) must bear the official seal of the Council.

(2) A certificate of registration referred to in sub-regulation 21(1) will be deemed to have been withdrawn from the date on which the name of the holder thereof was removed from the register concerned as contemplated in the Act.

(3) If the registrar is satisfied that a certificate of registration has been destroyed or lost, the registrar may upon-

- (a) application by the holder thereof; and
- (b) payment of the prescribed fee,
- issue a duplicate of the certificate of registration.

### **Annual fees**

**22. (1)** the prescribed annual fee payable by each child and youth care worker must be paid on or before 2 January of every year.

(2) The annual fee of a person who is registered after the start of any calendar year, must be-

- (a) calculated pro rata from the month he or she is registered to the end of the calendar year concerned; and
  - (b) payable on the last day of the month in which such a person is registered.
- (3) In the case of a person-
- (a) who applies for registration in terms of section 22(4) of the Act; and
  - (b) whose name is restored in terms of section 20(3) of the Act to a register contemplated in section 19(1) of the Act, the fee must be-
    - (i) calculated pro rata from the first day of the month during the month he or she is registered to the end of the financial year concerned; and
    - (ii) payable on or before the last day of the month in which such a person's name is restored to the register.

### **Payment to Council**

**23.** All payments to the Council must be in South African currency.

### **Recording of particulars and keeping of register**

**24.(1)** The registrar must record in the register the following details in respect of a child and youth care worker:

- (a) surname;
- (b) previous surname (if applicable);
- (c) first names;
- (d) title;
- (e) gender;
- (f) identity or residences permit number;
- (g) home language;

- (h) date of birth;
- (i) residential address;
- (j) postal address; email address, telephone number, cellular number and, fax number;
- (k) qualifications, institution obtained and year of obtainment;
- (l) registration number;
- (m) registration date;
- (n) any disciplinary steps taken against the child and youth care worker in terms of section 22 of the Act;
- (o) nationality or race;
- (p) country of origin;
- (q) current employer;
- (r) setting of practice (urban/rural);
- (s) physical or any other challenges of the child and youth care worker; and
- (t) specialised fields of practice.

(2) The registrar must, at the request of any child and youth care worker and upon submission of a certified copy of proof thereof, enter in the register opposite the name of such person –

- (a) any advanced (post-registration) qualification in child and youth care obtained by such person; and
- (b) any academic qualification obtained by such person in another field of study.

(3) The Registrar may issue to an applicant an extract from the register subject to the conditions that the applicant –

- (a) has a professional interest therein;
- (b) has a valid reason for requesting such information;
- (c) upon payment of the prescribed fee; and
- (d) subject to such conditions as the Council in general or in particular case may determine,

(4) The Promotion of Access to Information Act, 2000 (Act No. 2 Of 2000) may also be used to access information.



### **Application for re-registration or termination of suspension of registration**

**25.**(1) An application in terms of section 22(4) and (5) of the Act must be made on a form obtainable from the Council and must in the case of an application for-

- (a) re-registration, be accompanied by the prescribed annual fee and re-registration fee; and
- (b) termination of suspension of registration, be accompanied by the prescribed annual fee for the current financial year if it has not yet been paid.

### **Application for restoration to register**

**26.** An application as contemplated in section 20(3) of the Act must be made on a form similar to the form attached as Annexure D which is also obtainable from the registrar and must be accompanied by the prescribed annual fee and restoration fee.

### **Change of name and address**

**27.**(1) Every child and youth care worker must notify the registrar in writing within three months of any change of name and supply supporting evidence for such change.

(2) Every child and youth care worker must notify the registrar in writing of any change in residential and postal address within six weeks of such change.

(3) Upon receipt of notice contemplated in sub-regulations (1) and (2), the registrar must enter the details in the register as contemplated in section 19 of the Act.

**Disclosure of criminal offences**

**28.** (1) Every person who has been convicted of a criminal offence and applying for registration as a child and youth care worker must disclose such an offence to the Council.

(2) All employers must inform the Council of any offence that led to disciplinary hearing during which the person was found guilty and convicted.

(3) Failure to disclose information referred to in sub-regulation (1) may result in the removal of the child and youth care workers name from the register.

**Disciplinary inquiries**

**29.** The regulations regarding the conducting of inquiries into unprofessional conduct published in the Government Gazette No. 25109 on 27th June 2003 apply with the necessary changes as required by the context to the holding of disciplinary inquiries with regard to child and youth care workers.

**Disqualification from registration**

**30.** Any person whose name is entered into Part B of the Child Protection Register, established by the Children's Act, 2005 (Act No. 38 of 2005) as amended, shall not be eligible for registration as a child and youth care worker with the Council.

**FEES PAYABLE BY CHILD AND YOUTH CARE WORKERS,  
AUXILIARY CHILD AND YOUTH CARE WORKERS AND  
STUDENT CHILD AND YOUTH CARE WORKERS**

**Fees payable to Council**

**31.** (1) The child and youth care workers shall pay to the Council the following:

- (a) Registration fee of R210 by applicants who obtained their qualifications at a training institution in the RSA.
- (b) An additional levy of R100 in the case of sub-regulation (a) for a registration which is requested to be finalized within three working days.
- (c) Registration fee payable by applicants who obtained their qualifications from a training institution in countries listed hereunder and any other country classified as a first world country shall be R3 050.00-
  - (i) Australia;
  - (ii) Austria;

- (iii) Belgium;
  - (iv) Canada;
  - (v) Denmark;
  - (vi) Finland;
  - (vii) France;
  - (viii) Germany;
  - (ix) Ireland;
  - (x) Israel;
  - (xi) Italy;
  - (xii) Japan;
  - (xiii) Netherlands;
  - (xiv) New Zealand;
  - (xv) Singapore;
  - (xvi) Spain;
  - (xvii) Sweden;
  - (xviii) Switzerland;
  - (xix) United Arab Emirates;
  - (xx) United Kingdom; and
  - (xxi) United States of America.
- (d) Registration fee payable by applicants who obtained their qualifications at training institutions in all foreign countries excluding those mentioned in sub-regulation 30(1) (c) shall be R1550.00.
- (e) Re-registration fee payable by a person whose registration has been cancelled in terms of section 22(1) (c) of the Act shall be R225.00.
- (f) Annual fee, subject to other regulations that provide the contrary shall be R400.00.
- (g) Fee for the restoration of the name of a person whose name has been removed from the register in terms of section 20 of the Act shall be R200.00.
- (h) The following shall be paid to the Council by student child and youth care workers:

- (i) Registration fee of R195.00.
  - (ii) Reregistration fee by a person whose registration has been cancelled as contemplated in section 22(1) (c) of the Act shall be R205.00.
  - (iii) Fee for the restoration of the name of a person whose name has been removed from the Register as contemplated in section 20 of the Act shall be R190.00.
- (i) The following shall be paid to the Council by auxiliary child and youth care workers:
- (i) Registration fee of R185.00.
  - (ii) Re-registration fee payable by a person whose registration has been cancelled in terms of section 22(1) (c) of the Act shall be R200.00.
  - (iii) Fee for the restoration of the name of a person whose name has been removed from the Register in terms of section 20 of the Act shall be R180.00.
- (j) The following miscellaneous fees shall be paid to the Council:
- (i) Fee for a duplicate registration certificate shall be R220.00.
  - (ii) Fee for inspection of the register, per occasion, shall be R220.00.
  - (iii) Fee for an extract from the register, per page, shall be R220.00.
- (k) The following fees pertaining to Continuing Professional Development (CPD) activities shall be paid to the Council:
- (i) Fees for the approval of a CPD activity offered to practitioners at no cost to the practitioner shall be R100.00.

- (ii) Fees for the approval of a CPD activity offered to practitioners at a Specified/registration fees shall be R500.00.
- (2) Notwithstanding the provisions of sub-regulation 1–
  - (a) Any persons who in the course of any financial year attains the age of 65 year on or before 31 March of that financial year shall be exempted from the payment of annual fees for the following financial years; but still be allowed to practice if he/she so wish to;
  - (b) any person who in the opinion of the Council does not practice the profession of-
    - (i) social work;
    - (ii) social auxiliary work; and
    - (iii) child and Youth Care work,because of health reasons and who has applied in writing to the Council for exemption of payment of the annual fee shall, for the period and on the conditions determined by the Council, be exempted from the payment of annual fees; and
  - (c) Any person who in the course of any financial year ceases to practice the profession of-
    - (i) social work;
    - (ii) social auxiliary work; and
    - (iii) child and youth care workon or before 31 March of that financial year and who applies in writing to the Council for exemption shall be exempted from the following financial year of the full payment of the annual fees.
  - (d) Notwithstanding the provision of sub-regulation 30(2) (c) the category of persons mentioned therein shall pay only an amount which is calculated to be 50 percent of the annual fees.

- (e) The payment of the amount referred to in sub-regulation 31(2) (d) is subject to the person before re-entering the profession informing the Council in writing of such intention and shall pay the outstanding pro rata annual fees.
- (f) The pro-rata annual fee contemplated in sub-regulation 31(2)(e) shall be calculated from the first day of the month of re-entry to the profession, within twenty-one days after being notified of the amount payable, after which the said exemption shall fall away.

### **Savings**

**32.** The Regulations made under Act published as Government Notice No. R 738 in Government Gazette No. 32397 of 23 July 2013 remain in force but should be read together with these regulations as they serve as an insertion of a new category.

### **Short title**

**33.** These regulations are called Regulations for Student Child and Youth Care Workers, 2014.

## SCHEDULE

### **A. RULES RELATING TO ACTS OR OMISSIONS OF CHILD AND YOUTH CARE WORKER AT PROFESSIONAL AND AUXILIARY LEVELS AND STUDENT CHILD AND YOUTH CARE WORKER WHICH CONSTITUTE UNPROFESSIONAL OR IMPROPER CONDUCT**

#### **Definitions**

1. In these rules any word or expression to which a meaning has been assigned in the Act shall have such meaning and, unless the context otherwise indicates-

**"advertisement"** means any form of communication, public appearance, or introduction which has or may have the effect, directly or indirectly, of a child and youth care worker's capacity as such, or practice or services or the efficiency thereof being publicized, or clients being solicited, and "advertise" has a corresponding meaning;

**"client"** means a child or young person, individual, family, group or community receiving the professional attention of a child and youth care worker;

**"colleague"** in relation to a child and youth care worker means any other social service professional;

**"community"** shall mean a functionally related aggregate of people who live in a particular geographic area at a particular time, from a social structure and exhibit an awareness of their distinctiveness and own identity as a group;



**“employer”** means any person who employs or provides work to a child and youth care worker and who remunerates or expressly or tacitly undertakes to remunerate that child and youth care worker, or who permits a child and youth care worker to assist him/her in any manner in the carrying on or the conduct of his/ her practice;

**“partner”** means a colleague or a person referred to in rule 6 (c), with whom a child and youth care worker enters into an agreement jointly to conduct a practice to their mutual benefit and “partnership” has a corresponding meaning;

**“profession”** means the child and youth care profession; and

**“the Act”** means the Social Service Professions Act, 1978 (Act 110 of 1978), and any expression to which a meaning has been assigned in the Act shall bear such meaning and, unless the context otherwise indicates.

### **Scope of Application**

2. These rules with the necessary changes apply to child and youth care workers at the auxiliary level and to student child and youth care workers.

### **Acts or omissions deemed to be unprofessional conduct**

3. Subject to the provisions of section 21 (1) of the Act, it is hereby determined that the acts or omissions set out in these rules are considered unprofessional or improper conduct on the part of a child and youth care worker. The acts or omissions set out in these rules are not an exhaustive list of unprofessional or improper conduct.

**Behaviour detrimental to profession**

4. The following acts or omissions of a child and youth care worker are detrimental to the profession and constitute unprofessional or improper conduct: Without limitation the following shall constitute improper/unprofessional conduct:

(1) The execution of professional duties in a manner which does not comply with generally accepted standards of child and youth care work.

(2) Conducting oneself in a manner which, with due regard to the prestige, status and dignity of the profession, is detrimental to the position of child and youth care worker or to the profession as such.

(3) Committing dishonest deeds, being guilty of associating oneself with dishonest acts in the execution of professional duties.

(4) Refusing without sufficient reason, to render professional services within the regulated scope of practice which the child and youth care worker undertook to provide, or for which the child and youth care worker was employed.

(5) Employing any person as a child and youth care worker at the professional or the auxiliary level, or a student child and youth care worker knowing that such person has not been registered in terms of the Act;

(6) Failing to refer a client to a colleague, or another person or body with specialised knowledge in a field, should the matter fall outside the child and youth care worker's scope of practice, field of training or experience when such referral could in the circumstances be reasonably considered necessary.

(7) Failure to keep a record of acts performed, services rendered, money managed and fees charged in all matters dealt with by him/her in his/her capacity.

(8) The misrepresentation of professional qualifications, affiliations, level of practice or competencies.

(9) The offering of direct or indirect compensation or any other form of incentive whatsoever for the referral of clients.

### **Behaviour towards clients**

5. The following acts or omissions of a child and youth care worker toward clients constitute unprofessional or improper conduct:

(1) The divulgence of information gathered in confidence with the client, which came to his/her attention in the course of the execution of his/her professional duties, concerning a client, or a deceased person who during his life was a client except-

(a) to the extent that the divulgence is in the client's interest, or is necessary for the proper management of the case of the client concerned or of other cases;

(b) if the child and youth care worker is ordered to do so by a competent court or is otherwise legally bound to do so; and

(c) with the express consent of the client; or if the client cannot give his consent-

- i. his/her curator personae;
- ii. in the case of a minor, his/her parent or guardian; and
- iii. the surviving spouse, or
- iv. if there is no surviving spouse, a major child of a deceased client or, if there is no major child, an executor appointed by the Master of the Supreme Court.

- (2) The administration of a client's money in an irresponsible or negligent manner.
- (3) The receipt of any bribe, or agreement to receive any bribe in connection with any matter which is directly or indirectly related to his/her professional duties or practice.
- (4) Discrimination against a client on account of social or economic status, sex, race, religion, sexual orientation, disability, culture, language, nationality or history.
- (5) The performance of an act belonging to a professional field other than that of the child and youth care work, including the performing of psychometric tests for purposes of diagnosis and therapy, unless he is properly qualified therefor or legally authorized thereto.
- (6) The prevention of a client from procuring advice or assistance from another person who is authorised by law to advise or treat persons concerning their social welfare.

### **Supersession**

**6.** A child and youth care worker shall not render services to a child/family already in receipt of child and youth care services by another child and youth care worker unless-

- (a) the said colleague is not available and the required service cannot or should not be kept in abeyance;
- (b) it is within the context of multi-disciplinary teamwork of which the colleague is part of; and
- (c) the services of that colleague have been terminated.

**Behaviour towards employers and partners**

**7.** The following include acts or omissions of a child and youth care worker towards employers and partners that constitute unprofessional or improper conduct:

- (a) The breach of a contract of service, or behaviour that would justify dismissal in accordance with labour law;
- (b) practicing or carrying out child and youth care services from the premises of a child and youth care practice, any business, trade, work or profession (apart from the child and youth care profession), without the prior written consent of the council or contrary to a condition, if any, which such consent is subject to; or
- (c) practicing in partnership or employing a person to practice child and youth care work who is not registered in terms of the Act.

**Advertisement**

**8.** The advertising of his/her services by a child and youth care worker contrary to the following requirements constitute unprofessional or improper conduct:

- (1) An advertisement may not contain or imply any comparison between the services, knowledge, skill or efficiency of the advertising child and youth care worker and those of any other colleague or any other professional person or welfare body.

**Display of certificate**

**9.** The omission of a child and youth care worker who practices such a profession to produce or display the registration certificate issued in terms of the Act, when reasonably requested by any person to do so shall be deemed to constitute unprofessional or improper conduct.

**Scope of Application**

**10.** These rules with the necessary changes as required by the context apply to child and youth care workers at the auxiliary level and to student child and youth care workers.

## **B. RULES RELATING TO CONDUCT TO BE FOLLOWED BY CHILD AND YOUTH CARE WORKERS IN PRACTISING OF THEIR PROFESSION (CODE OF ETHICS)**

### **Conduct to be followed by child and youth care workers**

**1.** For the purposes of section 27(1) (a) of the Act the conduct set forth in these rules constitutes conduct expected of the child and youth care worker in the practicing of the profession.

### **General approach**

**2.** In undertaking the profession of child and youth care work the following are the principles and ethics that a child and youth care worker should adhere to-

(a) Each child:

- (i) has a unique individual value, potential, rights and a right to professional social services irrespective of origin, gender, beliefs, ethnicity, disability, socio-economic or legal status;
- (ii) has the right to acquire competencies that are holistic and developmentally appropriate; and
- (iii) each child is best raised in a family and if this is not possible, in a setting that best approximates this.

(b) The child and youth care worker:

- (i) has a responsibility to apply the unique knowledge, practice and skills of the profession to the developmental benefit of the child, its family, the community and society;

- (ii) is obligated to render services professionally; and
- (iii) shall recognise personal and professional limitations and take these into account in practice.

### **Conduct that concerns child and youth care workers**

**3.** A child and youth care worker must:

- (a) Use the knowledge base of the profession in evaluating its practice and to support the profession in order to maintain and raise its dignity, value and integrity;
- (b) Challenge unacceptable child and youth care work practice and uphold those that are acceptable;
- (c) Protect the child and youth care profession from unfounded criticism which could bring the profession into disrepute;
- (d) Remain actively involved in the formulation, development, determination and implementation of professional policy; and
- (e) Base child and youth care practices on sound child and youth care knowledge, theory and practices, and keep abreast of relevant developments and participate in research.

### **Conduct that concerns clients**

**4.** Conduct that concerns a client shall mean, inter alia, for a child and youth care worker to:

- (a) Strive, towards the client's optimal use of his abilities.
- (b) Recognize the uniqueness of each child or family.
- (c) Maintain a professional relationship with the child/family.



- (d) Acknowledge the right of the client to participation and self-determination.
- (e) Take into account the client's rights, preferences and objectives when restructuring service- rendering, even in the absence of the client.
- (f) Maintain the child/family's right to confidentiality.
- (g) Not refuse services to a child/ family whether or not the client's behaviour or beliefs are contrary to the values of the child and youth care worker.
- (h) Strive towards the client's optimal use of his abilities.
- (i) Inform and prepare the child/family for any decision regarding the termination of service rendering.
- (j) Participate in, contribute to, and respect in practice the decisions of a multi-disciplinary team.

### **Conduct that concerns employer**

5. Conduct that concerns an employer shall mean, inter alia, for a child and youth care worker to acknowledge and respect the employer's authority as far as it is compatible with the ethical conduct of child and youth care workers.

### **Conduct that concerns child and youth care workers institutions**

6. Conduct that concerns a child and youth care institution shall mean, inter alia, for a child and youth care worker to co-operate with those child and youth care workers institutions whose policies, procedures and operations are directed towards adequate service-rendering and

encouragement of professional practices consistent with the ethical conduct.

### **Conduct that concerns community**

7. Conduct that concerns the community shall mean, inter alia, for a child and youth care worker to:

- (a) Enhance and promote service rendering to the community under all circumstances by utilising and developing resources in the community.
  - (b) Have the responsibility to be aware of, initiate, develop and change social policy consistent with professional practices.
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