



# ALBERTA COLLEGE OF SOCIAL WORKERS

## Alberta College of Social Workers BY-LAWS November 25, 2022

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## Definitions

### 1. Definitions and Application

In these bylaws:

- (a) “Act” means the *Health Professions Act*;
- (b) “Alternative Complaint Resolution” means a process that may assist the complainant, the College, and/or the investigated person address a complaint;
- (c) "Bylaws" means bylaws of the College made pursuant to the *Act*;
- (d) “Bylaws Committee” means the Bylaws Committee established by Council pursuant to these bylaws;
- (e) “Clinical Committee” means the Clinical Committee established by Council pursuant to these bylaws;
- (f) “Clinical Social Worker” means an individual approved to use the title Clinical Social Worker established under the regulations;
- (g) “College” means the Alberta College of Social Workers (ACSW);
- (h) “COC” means a committee of council that undertakes any business, including legislative responsibilities on behalf of Council;
- (i) “Competence Committee” means a Competence Committee established under Part 1 of the *Act*;
- (j) “Complaints Director” means the complaints director of the College appointed under the *Act*;

- (k) “Conflict of Interest” means circumstances in which private interests could influence the undivided performance of responsibilities and duties;
- (l) “Continuing Competence” means a program of continuing competence provided for in the *Act* and/or Regulations;
- (m) “Council” means the council of the College established under section 5 of the *Act*;
- (n) “Finance Committee” means the Finance Committee established by Council pursuant to these bylaws;
- (o) “Good Standing”: A regulated member of the College shall be in good standing only if:
  - (i) no fees, costs, fines, assessments, levies, or any other sums are owing by the member to the College;
  - (ii) the member has a valid and current practice permit that is not currently suspended; and
  - (iii) the member is in compliance with all orders or directions made pursuant to the *Act* and ACSW bylaws.
- (p) “Hearings Director” means the hearings director of the College appointed under the *Act*;
- (q) “Indigenous Social Work Committee” means the committee established by Council pursuant to these bylaws;
- (r) “Member” means an individual who is a registered member of the College;
- (s) “Nominations and Recruitment Committee” means the Nominations and Recruitment Committee established by Council pursuant to these bylaws;
- (t) “Panel” means a group of people selected from Council, a committee, or a roster for the purposes of conducting business pursuant to the *Act*, Regulation, or bylaws;
- (u) “Professional Social Work Education Committee” means the committee established by Council pursuant to these bylaws;
- (v) “Registrar” means the registrar of the College appointed under section 8 of the *Act*;
- (w) “Regulation” means the Social Worker Profession Regulation under the *Act* and every regulation that may be substituted therefore;
- (x) “Social Work” is any activity as defined in the Scope of Social Work Practice under the *Health Professions Act*;
- (y) “Standards of Practice” mean the standards of practice adopted by the College under sections 133 and 133.1 of the *Act*;
- (z) “Terms of Reference” means the ACSW policy documents relating to the purpose and structures of ACSW governance and Regulations.

## **Council**

### **2. Council**

#### *Duties and Powers*

- (1) Council is the governing body of the College and may exercise all the powers and duties granted to a council under the *Act*.
- (2) Council may delegate any of its powers and duties to an individual, panel or committee, except those powers and duties specified in section 19 of the *Act*, and at any time may revoke such delegation.
- (3) The duties of Councillors will be prescribed by Council.
  - (a) Council members shall serve to promote the best interests of the College and the Council.
  - (b) Council members have a responsibility to protect the confidentiality of information acquired through their duties.
  - (c) Council members may serve as appointed members on Legislative committees and other committees.
- (4) The seal of the College, whenever used, shall be authenticated by the signatures of any two (2) of the President, Vice President, Secretary, Treasurer, or Registrar of the College.

#### *Composition*

- (5) Council shall consist of:
  - (a) Seven (7) regulated members: six (6) elected members, and one (1) Chairperson of the Indigenous Social Work Committee;
  - (b) Seven (7) public members required to be appointed by the Lieutenant Governor in Council in accordance with the *Act*; and
  - (c) Any non-voting members appointed by Council.

#### *Term of Office*

- (6) Except as otherwise stated in these bylaws, the term of office for a regulated member of Council shall be three (3) years.
- (7) A regulated member of Council may not serve more than two (2) consecutive terms of office.

#### *Officers*

- (8) Two (2) Officers (being the President and Vice-President) are elected by the membership. Only regulated members are eligible for the positions of President and Vice-President.

- (9) The President shall chair meetings of Council.
- (10) If President is temporarily absent or unable to act, the Vice-President shall perform the functions, duties, powers, and responsibilities of the President.
- (11) If both the President and Vice-President are temporarily absent or unable to act, Council will determine who shall perform the functions, duties, powers, and responsibilities of the President.
- (12) The Treasurer and Secretary shall be selected from members of Council.

### *Meetings*

- (13) Except when Council otherwise directs, Council meetings are open to the general membership and the public.

### *Quorum*

- (14) A quorum in order to make a Council decision is a majority of the voting members of Council.
- (15) A member of Council may participate in a meeting by any telecommunication means if the meeting is conducted so that all persons participating in the meeting can communicate with each other. A member participating in a meeting by those means is considered to be present at the meeting and shall be entitled to speak and vote at the meeting and shall be counted as part of the quorum.
- (16) For the purposes of calculating whether a majority of the members of Council is present for a Council decision, public representative positions on Council to which the Lieutenant Governor in Council has not appointed an individual shall not be counted.

### *Voting*

- (17) Except as otherwise stated in these bylaws and regardless of voting method, a decision shall be made by a majority vote of the Council members participating in the vote.
- (18) Except as otherwise stated in these bylaws, the President shall not vote except in the event of a tie vote, in which case the President shall then cast a deciding vote.
- (19) Proxy voting shall not be allowed at any meetings.

### *Terms of Reference and Procedures*

- (20) Council shall approve Terms of Reference for Council and may determine its own procedures, subject to the *Act*, the Regulation, and these bylaws.

### 3. Council Members Ceasing to Hold Office

#### *Automatic termination*

- (1) A regulated member of Council automatically ceases to be a Council member if:
  - (a) the member provides a letter of resignation to the President or the Registrar;
  - (b) the member is suspended or ceases to be a regulated member; or
  - (c) the member is found guilty of unprofessional conduct under the *Act* or makes an admission of unprofessional conduct that is accepted by a Hearing Tribunal in accordance with the *Act*.
- (2) The position of an Officer, Councillor or member of any Legislative committee, board, or panel shall be deemed to be vacated if that person is absent from three (3) consecutive meetings of Council, committee, board, or panel without permission of Council, committee, board, or panel chairperson.
- (3) Any member of Council or a Legislative Committee who is under investigation may be required to take a leave from responsibilities until the matter is concluded. The determination of whether a leave is required shall be made by the Registrar and President.

#### *Complaints about Council members*

- (4) A person may make a written complaint regarding the conduct of a Council member to the President or Vice-President if the Council member:
  - (a) has been found guilty of an offence under the *Criminal Code of Canada*; or
  - (b) is or has been engaged in any conduct or activity that undermines the College or its objectives.
- (5) On receipt of a written complaint under subsection (4), the President or Vice-President may arrange for an investigation to be conducted in accordance with the process approved by Council.
- (6) If, following an investigation conducted under subsection (5), the President or Vice-President determines there are reasonable grounds to believe the Council member, who is the subject of the complaint, has been found guilty of an offence under the *Criminal Code of Canada*, or is or has been engaged in conduct or activity that undermines the College or its objectives, then the President or Vice-President shall ask the President to call a meeting of Council to review and discuss the results of the investigation.
- (7) Council shall consider the matter and vote on the following question:
  - (a) If the Council member is a regulated member, “Are you in favour of removing \_\_\_\_\_ as a member of Council?”
  - (b) If the Council member is a public member, “Are you in favour of recommending to the Lieutenant Governor in Council that the appointment of \_\_\_\_\_ to Council be rescinded?”

- (8) The Council member who is the subject of the complaint may attend any such meeting of Council and be heard; however, that member shall abstain from the vote on the issue and shall be absent during the vote on the issue.
- (9) In a vote under subsection (8), the President shall be entitled to vote unless the President is the subject of the complaint.
- (10) If two-thirds (2/3) or more of the Council members present vote in favour of the question in subsection (7) above
  - (a) if a regulated member is the subject of the complaint, then they shall be removed from office effective immediately;
  - (b) if a public member is the subject of the complaint, then Council shall recommend to the Lieutenant Governor in Council that their appointment be rescinded.
- (11) If two-thirds (2/3) or more of the Council members present and voting do not vote in favour of the question in subsection (7) above, then the member who is the subject of the complaint shall not be removed from office and Council shall proceed to consider the seriousness of the issue and may take other action as deemed appropriate.

### *Vacancies*

- (12) If a regulated member of Council is unable to complete their term of office, Council may appoint a member on the general register to serve the remainder of the term of office.

## **Council Election/Appointment to Council**

### **4. Elections/Appointments**

- (1) Election of the Officers and Councillors shall entail processes that promote representation from across the province and ensures that eligible members have the opportunity to participate in the election process.
- (2) Council shall establish a Nominations and Recruitment Committee.
- (3) The Nominations and Recruitment Committee shall make recommendations regarding criteria and procedures for ACSW elections and Council vacancies.
- (4) The Nominations and Recruitment Committee shall oversee the nominations and elections process for Council positions.
- (5) The Nominations and Recruitment Committee shall, on the request of Council, recommend candidates for consideration for appointments by Council to fill vacancies on Council.
- (6) The nomination process shall begin with a request for nominations communicated to eligible members and the posting of nominations forms by January 10<sup>th</sup> of each election year. Nominations shall remain open until January 31<sup>st</sup> of each election year.
- (7) Candidates for elected positions will be posted for the information of members 20 days prior to the voting period.

- (8) Nominations must be accompanied by two (2) or more signed nomination endorsements by College members in good standing.
- (9) The names of the nominated candidates (the ballot) will be provided to eligible members for a ten (10) day period prior to March 15<sup>th</sup> of each election year. The voting period will be for ten (10) days.
- (10) Voting will be completed on or before March 15<sup>th</sup> of each election year.
- (11) Candidates who receive the largest number of votes cast shall be elected.
- (12) The results of the election will be formally announced immediately after voting is completed and will be published on the ACSW website.
- (13) Any member may request to examine election results for a period of seven (7) days following an election.
- (14) In the case of a tie in an election, the chairperson of the Nominations and Recruitment Committee shall cast the deciding vote.
- (15) Where only one (1) candidate runs for a position, that candidate shall be declared elected by acclamation.
- (16) Council may conduct elections electronically.
- (17) Public members shall be appointed by the Lieutenant Governor in Council as per the *Health Professions Act*.
- (18) All registered members are entitled to vote in elections of the ACSW.

## **Council Governance**

### **5. Registrar**

- (1) Council shall employ a Registrar of the College and such other staff or agents as Council may deem necessary to manage the affairs of the College.
- (2) The Registrar shall supervise, manage, carry out and perform any and all duties of the College as outlined in the *Act*, regulations and bylaws and as Council may determine from time to time:
  - (a) The Registrar shall consider applications for registration under sections 28(2)(a) and 28(2)(b) and make a decision;
  - (b) Council or designate shall specify in a contract or job description any additional powers and duties granted to the Registrar.

### *Complaints Director*

- (3) Council shall provide for the appointment of a Complaints Director.
- (4) The Complaints Director shall be a Registered Social Worker in good standing.



### *Hearings Director*

- (5) Council shall provide for the appointment of a Hearings Director.

### *Nominations and Recruitment Committee*

- (6) Council shall establish a Nominations and Recruitment Committee consisting of no less than three (3) members appointed by Council, one of whom is designated as chairperson or co-chairperson, and the Registrar as an ex-officio member.
  - (a) The members of the Nominations and Recruitment Committee shall serve for a term of three (3) years and may serve a maximum of two (2) consecutive terms.
  - (b) The Nominations and Recruitment Committee reports to Council.
- (7) The Nominations and Recruitment Committee shall make recommendations regarding criteria and procedures for ACSW elections and elected Council vacancies.
  - (a) The Nominations and Recruitment Committee shall oversee the nominations and elections process for elected Council positions.
  - (b) The Nominations and Recruitment Committee shall, on the request of Council, recommend candidates for consideration for appointments by Council to fill vacancies on Council.

### *Finance Committee*

- (8) Council shall establish a Finance Committee to make recommendations on financial matters.
- (9) The members of the Finance Committee shall serve for a term of three (3) years and may serve a maximum of two (2) consecutive terms.
- (10) Council may borrow money for any purpose connected with the objectives of the College and give security by mortgage, charge, or otherwise.

### *Council Fiscal Responsibilities*

- (11) Council shall set the fiscal year of the College.
- (12) The signing officers of the College shall be any two (2) of the President, Vice President, Secretary, Treasurer, or Registrar and anyone else Council may designate from time to time by resolution.

### *Council and Confidentiality*

- (13) Council shall keep confidential any information that is not part of the public record including any discussions or documents leading to a decision of the Council, committee, or panel.

### *Equivalent Jurisdiction*

- (14) Council shall have the authority to recognize professions in other jurisdictions for the purpose of determining an equivalent jurisdiction.

## **Code of Ethics and Standards of Practice**

### **6. Procedure for adopting or amending a Code of Ethics or Standards of Practice**

- (1) Council may adopt or amend a Code of Ethics or Standards of Practice in accordance with the consultation process set out at section 133 of the *Act*.
- (2) No fewer than thirty (30) days before adopting a proposed code of ethics or standards of practice or amendment, Council shall provide a copy to regulated members or post a copy on the College's website for review and comment and shall indicate a deadline for Council to receive written comments.
- (3) Council shall consider any written submissions received in accordance with subsection (2) before making a decision.
- (4) Members shall conduct themselves in accordance with the Standards of Practice and the Code of Ethics of the College.

## **Registration**

### **7. Registration Committee**

- (1) A Registration Committee is hereby established and may carry out the powers and duties set out in the *Act*, the Regulations, and these bylaws.
- (2) Council shall appoint no fewer than three (3) members to the Registration Committee, a majority of whom must be regulated members, and shall appoint a member as chair.
- (3) The members of the Registration Committee shall serve for a term of three (3) years and may serve a maximum of two (2) consecutive terms.
- (4) The Registration Committee shall consist of regulated members representing the diversity of relevant stakeholders outlined in the Terms of Reference approved by Council and the Registrar as an ex-officio member. Chairing duties shall be designated from this Committee membership.
  - (a) The Registration Committee shall make recommendations to the Registrar regarding applications for registration under section 28(2)(c) of the *Act*;
  - (b) The Registration Committee may impose conditions on registration or a practice permit and shall monitor compliance with any such conditions;

- (c) The Registration Committee shall review applications for re-instatement from individuals cancelled under Part 4 of the *Act*;
- (d) The Registration Committee may carry out other duties as assigned by Council or the Registrar;
- (e) The Registration Committee reports to Council.

## **8. Registration Applications**

- (1) The Registrar shall consider complete applications for registration as a regulated member.
- (2) The Registrar may, in their sole discretion, refer any application for registration to the Registration Committee.

## **9. Good Character, Reputation**

All applicants for registration as regulated members must provide evidence of having good character and reputation by submitting the following on the request of the Registrar:

- (a) written references from colleagues and, where applicable, from another jurisdiction in which the applicant is currently registered;
- (b) a statement by the applicant as to whether the applicant is currently undergoing an unprofessional conduct process or has previously been disciplined by another regulatory body responsible for the regulation of social work or of another profession that provides professional services;
- (c) the results of a criminal record check;
- (d) a declaration from the applicant that information provided is true and that the applicant agrees to abide by the Code of Ethics and standards for the practice of social work adopted by Council in accordance with section 133 of the *Act*.

## **10. Practice Permits**

- (1) Regulated members must submit a complete application for a practice permit to the Registrar as designated by practice permit each year.
- (2) Applications for practice permits shall be considered by the Registrar.
- (3) The Registrar may, in their sole discretion, refer any application for a practice permit to the Registration Committee.

## **11. Alternative Complaint Resolution**

- (1) When a complainant and an investigated person have agreed to enter into an alternative complaint resolution process, the Complaints Director must appoint an individual to conduct the alternative complaint resolution process.

- (2) The person conducting the alternative complaint resolution process must, in consultation with the complainant and the investigated person, establish the procedures for and objectives of the alternative complaint resolution process, which must be set out in writing and signed by the complainant, the investigated person, and the representative of the College.
- (3) The complainant and the investigated person must, subject to section 59 of the *Act*, agree to treat all information shared during the process as confidential.
- (4) The complainant and the investigated person may withdraw from the alternative complaint resolution process at any time. Withdrawal must be in writing.

## **12. Reinstatement Applications (Non-Disciplinary)**

- (1) A regulated member whose practice permit and registration are cancelled under the *Act*, except under Part 4 of the *Act*, may apply to the Registrar for reinstatement.
- (2) The Registrar may, in their sole discretion, refer any application for reinstatement to the Registration Committee.

## **Registers**

### **13. Information Regarding Regulated Members and Applicants**

- (1) Each Member shall provide to the Registrar in writing or by email any information that is to be contained in the Register or Record as outlined in the *Act*, Regulations, and bylaws.
- (2) Each Member shall advise the Registrar in writing or by email of any changes to the information contained in the Register or Record with respect to that Member within a reasonable time of such change.
- (3) The College may disclose information collected about a regulated member with the consent of the regulated member, or in a summarized or statistical manner so it is not possible to relate the information to the regulated member or any other identifiable person.

### **14. Changes to Information on Regulated Members Registers**

- (1) The Registrar may enter, change, or remove information from the regulated members registers.
- (2) No registration or practice permit shall be cancelled except in accordance with the *Act*.

## **Continuing Competence**

### **15. Competence Committee**

- (1) A Competence Committee is hereby established and may carry out the powers and duties set out in the *Act*, the Regulations, the Standards of Practice, and these bylaws.

- (2) The Competence Committee shall consist of regulated members representing the diversity of relevant stakeholders outlined in the Terms of Reference approved by Council and the Registrar or designate as an ex-officio member. Chairing duties shall be designated from this Committee membership by Council.
  - (a) The Competence Committee shall make recommendations to Council on continuing competence requirements, Standards of Practice, and other practice issues;
  - (b) The Competence Committee shall review annual competence submissions to determine whether continuing competence requirements have been met;
  - (c) The Competence Committee shall monitor compliance with any conditions imposed on registration or a practice permit by the Competence Committee.
  - (d) The Competence Committee reports to Council.
- (3) Council shall appoint no fewer than three (3) members to the Competence Committee, a majority of whom must be regulated members, and shall appoint a member as chairperson.
- (4) The members of the Competence Committee shall serve for a term of three (3) years and may serve a maximum of two (2) consecutive terms.
- (5) A decision of the Competence Committee shall be made by a majority vote of the members participating in the vote.
- (6) The Registrar or the Competence Committee may recommend to the Council
  - (a) Rules governing the program credits that may be earned for each professional activity;
  - (b) Rules governing the type and category of professional activities that a regulated member must undertake in a one-year period;
  - (c) Rules limiting the number of professional development activities within a specific category for which a member may earn credits; and
  - (d) Other rules as required governing the continuing competence program.
- (7) The rules recommended under subsection (6) and any recommended amendments to those rules must be distributed by the Registrar to all regulated members for their review.
- (8) The Council may approve rules and amendments to the rules that have been distributed for review under subsection (7).
- (9) Subject to the *Act*, the Regulation, these bylaws, and any Terms of Reference approved by Council, the Competence Committee may determine its own procedures.

## **Professional Conduct**

### **16. Membership List**

- (1) Council shall appoint no fewer than four (4) regulated members to the membership list referenced in the *Act*. This list shall be used for appointing regulated members to both Hearing Tribunals and Complaint Review Committees (the “Roster”).

- (2) A person shall not sit on a Complaint Review Committee and a Hearing Tribunal with respect to the same matter.

### **17. Complaint Review Committee**

- (1) A Complaint Review Committee consists of public members and two (2) or more regulated members appointed to it by the Hearings Director.
- (2) The Hearings Director shall appoint a chairperson of each Complaint Review Committee.
- (3) A quorum for a Complaint Review Committee is two (2) regulated members and the number of public members required by section 12(1) of the *Act*.
- (4) The members of the Complaint Review Committee shall serve for a term of three (3) years and may serve a maximum of two (2) consecutive terms.
- (5) A decision of a Complaint Review Committee shall be by majority vote.
- (6) Subject to the *Act*, the Regulation, these bylaws, and any Terms of Reference approved by Council, a Complaint Review Committee may determine its own procedures.
- (7) A Complaint Review Committee which begins with a full quorum may continue with a case in progress if a member is unable to complete the hearing or review, as per section 18 of the *Act*.

### **18. Hearing Tribunal**

- (1) A Hearing Tribunal consists of public members and two (2) or more regulated members appointed to it by the Hearings Director.
- (2) The Hearings Director shall appoint a chairperson of each Hearing Tribunal.
- (3) A quorum for a Hearing Tribunal is two (2) regulated members and the number of public members required by section 12(1) of the *Act*.
- (4) A Hearing Tribunal which begins with a full quorum may continue with a case in progress if a member is unable to complete the hearing or review, as per section 18 of the *Act*.
- (5) Subject to the *Act*, the Regulation, these bylaws, and any Terms of Reference approved by Council, a Hearing Tribunal may determine its own procedures.

### **19. Appeals Committee**

- (1) An Appeals Committee is hereby established, from which panels shall be selected.
- (2) Council shall appoint four (4) members of Council to the Appeals Committee, two (2) of whom shall be regulated members of Council and two (2) of whom shall be public members of Council.
- (3) Where a review or appeal is requested by an Indigenous person, the appeal panel shall include no fewer than one (1) Registered Indigenous social worker. If there are no Indigenous social workers on Council, an Indigenous registered social worker shall be appointed to the panel by Council with the full authority of a Council member on the panel for the duration of the review.

- (4) Council members shall be appointed to the Appeals Committee for a term of one (1) year, unless Council specifies a different term at the time of appointment. Council members may serve multiple consecutive terms on the Appeals Committee.
- (5) Council members appointed to the Appeals Committee shall continue to hold office after the expiry of their term on the Appeals Committee or their term on Council for the sole purpose of concluding hearings that have commenced but have not been completed.
- (6) A panel of Council from the Appeals Committee shall:
  - (a) carry out the duties and powers of Council under section 31 of the *Act*;
  - (b) carry out the duties and powers of Council under section 41 of the *Act*;
  - (c) carry out the duties and powers of Council under sections 87 to 89 of the *Act*;
  - (d) carry out the duties and powers of Council under section 93 of the *Act*;
  - (e) carry out the duties and powers of Council under sections 118(6) to 118(8) of the *Act*; and
  - (f) carry out a review and/or appeal of a decision by the Registrar, Registration Committee, Clinical Committee, a Hearing Tribunal, or Complaint Review Committee, or Competence Committee as set out in the *Health Professions Act*.
- (7) A quorum for a panel of the Appeals Committee shall be two (2) regulated members of Council and the number of public members of Council required by section 12(1) of the *Act*.
- (8) Council shall appoint a chairperson of the Appeals Committee.
- (9) A decision of the Appeals Committee shall be by majority vote.

## **20. Reinstatement Applications under Section 45.1 of the *Act***

- (1) On completing a review of an application for reinstatement from a person whose practice permit and registration were cancelled under Part 4 of the *Act*, the Registrar, Registration Committee, or Competence Committee may order the person to pay any or all of the College's expenses.
- (2) A person whose registration and practice permit have been cancelled under Part 4 of the *Act* may apply in writing to the Registrar to have the registration and practice permit reinstated.
  - (a) An application under subsection (2) may not be made earlier than
    - (i) Five (5) years after the cancellation, or
    - (ii) one (1) year after the refusal of an application under clause (i).
  - (b) An applicant under subsection (2) must provide evidence to the Registration Committee of qualifications for registration.
- (3) An application under section (2) must be reviewed by the Registration Committee in accordance with the application for registration process set out in sections 28 to 30 of the *Act*.
  - (a) On reviewing an application in accordance with subsection (2), the Registration Committee must
    - (i) Consider

1. the record of the hearing at which the applicant's registration and practice permits were cancelled, and
  2. the evidence presented at the hearing,
- and
- (ii) be satisfied that
    1. the applicant meets the current requirements for registration,
    2. any condition imposed at the time the applicant's permit and registration were cancelled have been met, and
    3. the applicant is fit to practice social work and does not pose a risk to public safety.
- (b) The Registration Committee on reviewing an application may make one or more of the following orders:
- (i) an order denying the application;
  - (ii) an order directing the Registrar to reinstate the person's registration and practice permit;
  - (iii) an order directing the Registrar to impose specified terms and conditions on the person's practice permit.
- (4) An applicant whose application is denied or on whose practice permit terms and conditions have been imposed under subsection (3) may apply to the Council for a review of the decision of the Registration Committee in accordance with section 31(3) of the *Act*.
- (5) The Registration Committee may order that its decision be publicized in a manner it considers appropriate.
- (a) The College must make the decision of the Registration Committee available for five (5) years to a member of the public on request.

## **21. Payment of Costs**

- (1) If the Council, the Hearing Tribunal, the Complaint Review Committee, or the Appeals Committee make an order under the *Act* for the payment of all or part of the costs of an investigation, inquiry, hearing, or appeal, those costs may include all or any of the following:
  - (a) Any transportation, accommodation, and living expenses paid to a person conducting a preliminary investigation or to a member of the Council, the Hearing Tribunal, the Complaint Review Committee, or the Appeals Committee involved in a review, inquiry, or hearing;
  - (b) Any honourarium or payment made to a person referred to in clause (a) for participating in the matter;
  - (c) The cost of any transcript of the proceedings or charge for the attendance of a reporter;
  - (d) Any witness fees and any transportation, accommodation, or living expenses incurred by a witness;



- (e) The cost of renting rooms or recording equipment;
  - (f) Any fees payable to a lawyer acting on behalf of the College or any Board or Committee of the College;
  - (g) The cost of service of any notice or documents; and
  - (h) Generally, any other costs or expenses incurred that are attributable to the investigation, inquiry, hearing, or appeal.
- (2) Notwithstanding subsection (1), the Council, the Hearing Tribunal, the Complaint Review Committee, or the Appeals Committee, when ordering costs, may order a specific sum to be paid as costs.

## **22. Designations by Council under Sections 65 and 86 of the *Act***

- (1) Council hereby designates the Registrar to make decisions under section 65(1) of the *Act*.
- (2) Council hereby designates the President to make decisions under section 86(1) of the *Act*.

## **23. Other Committees**

- (1) In addition to committees established in the *Act* or in these bylaws, Council may establish such committees as it considers necessary in carrying out its duties and responsibilities.
- (2) Council shall set out a process in policy for the appointment and removal of members of committees established under section (1).
- (3) Council hereby establishes the following committees:

### *Professional Social Work Education Committee*

- (4) Council shall establish a Professional Social Work Education Committee consisting of regulated members reflecting the diversity of stakeholders outlined in the Terms of Reference approved by Council and the Registrar or designate as an ex-officio member. Chairing duties shall be designated from this Committee membership.
  - (a) The Professional Social Work Education Committee shall make recommendations to Council on procedures for reviewing social work education programs.
  - (b) The Professional Social Work Education Committee shall make recommendations to Council regarding which social work education programs should have approved program status granted, re-approved, or removed.
  - (c) The Professional Social Work Education Committee shall make recommendations to Council on matters relevant to social work education and training.
  - (d) The Professional Social Work Education Committee reports to Council.
  - (e) Members of the Professional Social Work Education Committee shall serve for a term of three (3) years and may serve a maximum of two (2) consecutive terms.

### *Indigenous Social Work Committee*

- (5) Council may establish an Indigenous Social Work Committee consisting of seven (7) appointed members reflecting the diversity of Indigenous social workers in Alberta and up to three (3) ex-officio members and shall designate one (1) of the regulated members as chair.
  - (a) The Indigenous Social Work Committee shall act in an advisory capacity to Council on matters related to Indigenous social work practice.
  - (b) The Indigenous Social Work Committee reports to Council.
  - (c) Members of the Indigenous Social Work Committee shall serve for a term of three (3) years and may serve a maximum of two (2) consecutive terms.

### *Clinical Committee*

- (6) Council shall establish a Clinical Committee consisting of regulated members who are members of the Clinical Specialty Registry reflecting the diversity of relevant stakeholders outlined in the Terms of Reference approved by Council and the Registrar or designate as an ex-officio member. Chairing duties shall be designated from this Committee membership.
  - (a) The Clinical Committee shall recommend to Council the entry requirements for inclusion on the Clinical Registry.
  - (b) The Clinical Committee shall review applications for the Clinical Registry and identify continuing competence requirements for members of the Clinical Social Work Registry.
  - (c) The Clinical Committee shall recommend to Council policies and procedures for all matters related to applying to and maintaining status on the Clinical Registry.
  - (d) The Clinical Committee reports to Council.
  - (e) Members of the Clinical Committee shall serve for a term of three (3) years and may serve a maximum of two (2) consecutive terms.

## **24. Bylaws applicable to all committees**

- (1) Council may appoint committee members and acting members of committees from Council members or from members of the College.
- (2) The College members on all committees, boards, or other entities shall be Registered Social Workers in good standing with an active practice permit.
- (3) Council may appoint or revoke the appointment of members of Committees.
- (4) Council may appoint Committee Chairpersons for two (2) terms of up to three (3) consecutive years for a total of six (6) years.
- (5) Notwithstanding the term for all committees specified in subsection (4), Council may specify a different term for any committee at the time of appointment.
- (6) If a vacancy on a committee occurs, Council may:
  - (a) appoint another member to the Committee; or

- (b) leave the vacancy unfilled.
- (7) Council shall set out a process in policy for the appointment and removal of members of committees.
- (8) Council may delegate any of its powers and duties to an individual, panel, or committee, except those powers and duties specified in section 19 of the *Act*, and at any time may revoke such delegation.
- (9) If a vacancy occurs on a Committee, Council may appoint another member to the committee or leave the vacancy unfilled unless the number of members would be reduced to less than three (3), in which case Council shall appoint another member to the committee.
- (10) A quorum of any committee is three (3) members, except a Complaint Review Committee and a Hearing Tribunal.
- (11) A decision of a committee shall be made by a majority vote of the members participating in the vote.
- (12) Any member of any committee may participate in a meeting by any telecommunication means if the meeting is conducted so that all persons participating in the meeting can communicate with each other. A member participating in a meeting by those means is considered to be present at the meeting and shall be entitled to speak and vote at the meeting and shall be counted as part of the quorum.
- (13) Council shall keep confidential any information that is not part of the public record including any discussions or documents leading to a decision of the Council, committee, or panel.

## **25. Terms of Reference for Committees**

- (1) Council shall approve Terms of Reference for all committees established in the *Act*, in these bylaws.
- (2) The Registration Committee, the Professional Social Work Education Committee, the Clinical Committee, and the Competence Committee shall submit minutes/reports to Council as required and representatives may, at the pleasure of Council, attend Council meetings to discuss the work of their committees.
- (3) With the approval of Council, the Registrar, Complaints Director, Hearings Director, Registration Committee, Competence Committee, Professional Social Work Education Committee, and Clinical Committee may delegate any of its powers and duties to an individual, panel, or committee, and at any time may revoke such delegation.

## **26. Special Meetings**

- (1) Council may call a Special Meeting of the College at any time, and Council shall call a Special Meeting on written request signed by at least ten percent (10%) of the members.
- (2) Quorum at special meetings shall consist of three hundred (300) members who are entitled to vote.

- (3) A request by members for a Special Meeting may consist of any number of documents of like form each signed by one (1) or more members entitled to vote, shall state the business to be transacted at the General Meeting and shall be sent to the President and the Registrar.
- (4) Council shall give at least fourteen (14) days' notice to members for any Special Meeting, or a shorter period of notice upon unanimous consent of Council.
- (5) All notices shall be deemed to have been given if they have been communicated within required timelines through the ACSW website or other forms of communication.
- (6) Matters adopted at Special Meetings are advisory to Council.

## **Information**

### **27. Collecting Information**

- (1) A regulated member must provide the following information in addition to that required under section 33(3) of the *Act* when there is a change to the information or at the request of the Registrar:
  - (a) home and business mailing address, e-mail address, phone numbers and fax numbers;
  - (b) full name and previous names as applicable;
  - (c) year of registration;
  - (d) degrees and other qualifications, including specialization;
  - (e) schools from which the regulated member has graduated;
  - (f) years of graduation;
  - (g) date of birth and gender;
  - (h) languages spoken or understood;
  - (i) employer's name or place of business;
  - (j) job title and position description;
  - (k) employment status, whether part-time or full-time status or unemployed;
  - (l) areas of practice or specialization;
  - (m) commencement date of current employment;
  - (n) languages in which professional services are provided;
  - (o) names of other jurisdictions in which the member may be registered;
  - (p) the name of any other college of a profession that provides health services in which the member is registered and whether the member is a practicing member of that college;  
and
  - (q) whether the member provides any restricted activities.

- (2) Subject to section 34(1) of the *Act*, the College may release the information collected under subsection (1) only
  - (a) with the consent of the regulated member whose information it is; or
  - (b) in a summarized or statistical form so that it is not possible to relate the information to any particular identifiable person.

## **28. Correcting Information**

The Registrar may correct or remove any information on the register of regulated members if the Registrar determines it is incorrect or inaccurate.

## **29. Section 119 Information**

Council must provide, under section 119 of the *Act*, the information referred to in section 119(4) of the *Act* for ten (10) years following the date that the information was filed in the record or in the case of

- (a) a suspension, the date on which the suspension terminates;
- (b) a condition imposed on a practice permit, the date the condition was removed; and
- (c) a reprimand or other sanction, the date the reprimand or sanction is imposed.

## **Publication and Distribution of Information**

### **30. Publication and Distribution of Information by the Registrar**

- (1) The Registrar may publish or distribute information respecting any order made by a Hearing Tribunal or the Council under Part 4 of the *Act* including the order or the decision itself, and information referred to in section 119(1) of the *Act*, as deemed appropriate by the Registrar and in any manner deemed appropriate by the Registrar, subject to any requirements in the *Act*, the Regulation, the *Personal Information Protection Act*, SA 2003, c P-6.5, or any other enactment that applies to the College.
- (2) The College shall publish the names and status of regulated members whose registration is cancelled or suspended pursuant to Part 2 of the *Act*.
- (3) The College shall publish the names, status, and sanctions of regulated members whose registration or practice permit is suspended or cancelled pursuant to Part 4 of the *Act*.
- (4) The College may publish all or part of the decision of a Hearing Tribunal, including the name of the disciplined member, following the final possible appeal date.
- (5) The College shall publish the decision of a Hearing Tribunal as a result of sexual assault or sexual misconduct, including the name of the disciplined member, following the final possible appeal date.

## **Administration**

### **31. Forms and Documents**

The Registrar is authorized to prescribe such forms, certificates, permits or other documents that may be required for the purposes of the *Act*, the Regulation, or these bylaws.

### **32. Reimbursement of Expenses**

Registered Council members and registered committee members shall normally serve without compensation, but expenses incurred may be reimbursed when expended for and in the interest of the College and approved by Council.

### **33. Fees and Levies for Applicants and Members**

(1) Council may establish any of the following fees:

- (a) Application fees;
- (b) Registration fees;
- (c) Practice permit fees;
- (d) Late payment fees; and
- (e) Fees for reviews or appeals of any decisions under the *Act*.

(2) Council may also establish any fees, costs, levies, or assessments to be paid by regulated members or applicants for any service or thing provided by the College under the *Act*, the Regulation, or these bylaws.

(3) Before establishing a fee, cost, levy or assessment under subsection (1) or (2), or before making any changes to such fee, cost, levy or assessment, Council shall provide notice to the members via the College website no fewer than thirty (30) days before the fee, cost, levy, assessment, or change comes into effect.

### **34. Head Office**

The head office of the College shall be located at Edmonton, Alberta, or such other location as may be determined by Council.

### **35. Use of Funds**

- (1) The College may make use of all revenues received from membership fees and other sources of income to carry out the objectives of the College.
- (2) Financial policy pertaining to the College shall be determined by Council and the College shall publish annually a copy of its financial information in the form required by the Minister under the *Act*.

## **Bylaws**

### **36. Enactment, Amendment, and Repeal of Bylaws**

These bylaws may be revised pursuant to a resolution adopted by a two-thirds (2/3) of the votes cast in a vote by Council following a review as prescribed by section 132 of the *Act*.