



## VELFERÐARRÁÐUNEYTIÐ

*Ministry of Welfare*

### **REGULATION** **on the education, rights and obligations of social workers** **and criteria for granting of licences and specialist licences,** **No. 1088/2012.**

#### SECTION I

##### **General provisions.**

###### Article 1

###### *Scope.*

This Regulation applies to social workers holding licences and specialist licences from the Medical Director of Health under Articles 2 and 5.

#### SECTION II

##### **Licences.**

###### Article 2

###### *Professional title.*

The right to use the professional title of social worker and to practise as such in Iceland is confined to those who have been granted a licence by the Medical Director of Health.

###### Article 3

###### *Criteria for granting of a licence.*

A licence under Article 2 may be granted to those who have completed an MA degree in social work from the Faculty of Social Work in the University of Iceland's School of Social Sciences.

A licence may also be granted on the basis of education from a state within the European Economic Area (EEA) and Switzerland. Recognition of professional qualifications and competence of a social worker who meets the criteria of Directive 2005/36/EC, on the recognition of professional qualifications, with subsequent amendments, is subject to Regulation on recognition of professional qualifications and competence of healthcare practitioners from other EEA states, No. 461/2011.

A licence may also be granted to those who have completed a comparable degree from an educational institution in a state outside the EEA or Switzerland, which is recognised as such by Icelandic health authorities, and by health authorities in the state where the education took place.

Other criteria for the issue of a licence are subject to Article 12.

###### Article 4

###### *Opinions.*

Before a licence is granted under Article 2 on the basis of education outside Iceland under the third paragraph of Article 3, the Medical Director of Health shall elicit the opinion of the Faculty of Social Work in the University of Iceland's School of Social Sciences, with regard to whether the applicant fulfils the criteria for education under the third paragraph of Article 3, for granting of a licence.

The Medical Director of Health may elicit opinions from other bodies, as deemed necessary.

### SECTION III

#### **Specialist licences in social work.**

##### Article 5

###### *Specialist licences.*

The right to use the title of specialist in a specialist field of social work and to practise as such in Iceland is confined to those granted a licence by the Medical Director of Health.

##### Article 6

###### *Criteria for specialist licences.*

Specialist licences may be granted in recognised specialist fields of social work. This is subject to the condition that the specialist education of the applicant is defined as being within the specialist field for which he/she applies for a specialist licence. The relevant specialist field shall have a solid theoretical basis, and an equivalent shall exist in a recognised international forum.

In order to be entitled to receive a specialist licence under Article 5 a social worker shall fulfil the following standards:

1. he/she shall be licensed as a social worker in Iceland under Article 2; and
2. he/she shall have completed a master's or doctoral degree in social work in the relevant specialist field, or equivalent postgraduate study from a recognised university; and
3. he/she shall have worked as a social worker after graduation under indent 2 for the equivalent of at least two years full-time in the field for which the application for a specialist licence is made. If he/she has worked less than full-time, the duration of employment shall be proportionately longer. Up to twelve months full-time may be subtracted if the person has been employed in the relevant speciality alongside doctoral studies; and
4. he/she shall have received supervision from a recognised professional during the period of employment.

A specific field on which the person has focussed within the recognised specialist field may be specified.

Further criteria for the granting of a specialist licence are subject to Article 12.

##### Article 7

###### *Application and opinions.*

An application for a specialist licence in social work, together with documents confirming education and work experience, and other necessary documents, shall be submitted to the Medical Director of Health.

Before a specialist licence is granted under Article 5 the Medical Director of Health shall elicit the opinion of the Faculty of Social Work in the University of Iceland's School of Social Sciences, with regard to whether the applicant fulfils the criteria of Article 6.

The Medical Director of Health may appoint a special committee to evaluate and comment upon applications for specialist licences.

The Medical Director of Health may elicit opinions from other bodies, as deemed necessary.

### SECTION IV

#### **Rights and obligations.**

##### Article 8

###### *Professional standards and responsibility.*

A social worker shall show respect for the client and perform his/her tasks vigilantly and conscientiously and in accordance with the professional standards required of the profession at any time.

A social worker must be aware of his/her duties and respect ethical rules of the profession, maintain his/her knowledge and professional skill, and master innovations in his/her field of work.

A social worker shall be familiar with legislation and regulations applying to healthcare practitioners, healthcare services, affairs of people with disabilities and other legislation and government directives, as applicable.

A social worker is responsible for the social counselling, diagnosis, treatment and preventions he/she provides.

A social worker shall recognise his/her professional limitations, and seek assistance or refer the client to another healthcare practitioner as necessary, for instance if he/she judges that he/she cannot provide appropriate service.

#### Article 9

##### *Duty to inform and keeping of medical records.*

The duty of a social worker to provide information to a client is subject to the provisions of the Patients' Rights Act, No. 74/1997, and other legislation and government directives, as applicable.

The duty of a social worker to provide information to the Medical Director of Health, *inter alia* with respect to monitoring and for the purpose of producing health reports, is subject to the provisions of the Medical Director of Health and Public Health Act, No. 41/2007.

A social worker shall, as appropriate, enter medical records in accordance with the provisions of the Medical Records Act, No. 55/2009, and regulations issued on the basis of the Act.

#### Article 10

##### *Trainees.*

A social worker is responsible for trainees placed under his/her supervision having sufficient competence and knowledge, and receiving the necessary guidance and instructions, to carry out tasks which he/she allots to them.

#### Article 11

##### *Confidentiality.*

A social worker shall maintain the utmost confidentiality regarding anything of which he/she becomes aware in his/her work about a client's health, condition, diagnosis, prognosis and treatment, and other personal information. This does not apply where other provisions are made by law, or where reasonable cause exists to breach confidentiality for reasons of urgent necessity.

A social worker can be released from the obligation of confidentiality by the consent of a client, or guardian if applicable.

The duty of confidentiality under this Article does not apply to cases in which the social worker has a duty to report under other legal provisions. In such cases, the duty of the social worker is to notify the relevant authority.

A social worker's duty of confidentiality is also subject to the provisions of the Patients' Rights Act, the Medical Records Act and other legislation as applicable.

### SECTION V

#### **Various provisions.**

#### Article 12

##### *Further criteria for granting of licences and specialist licences.*

An applicant for a licence as a social worker under Article 2 and a specialist licence in social work under Article 5 who is from a state outside the EEA and Switzerland, with which Iceland has not made an agreement on recognition of professional qualifications and competence, shall submit *inter alia* documentary evidence of nationality, content and duration of education, in addition to an examination certificate, a licence if the profession is an authorised profession in the applicant's state of origin, intended employment in Iceland, and any other documents and certificates deemed by the Medical Director of Health to be necessary for the issue of a licence.

Before an application for a licence is evaluated, as applicable a certified copy must be submitted of an application for residence and work permits, together with a signed contract of employment.

A requirement may be made for knowledge of the Icelandic language and Icelandic healthcare legislation, legislation regarding people with disabilities, and other legislation and government directives, as deemed necessary in the work of a social worker, especially with regard to clients' safety and communication with clients.

Should it not have been demonstrated, in the judgement of the Medical Director of Health, that the applicant's qualification fulfils the criteria under the first paragraph of Article 3 or Article 6, account being taken of professional experience, an applicant may be required, to submit to a test of competence to demonstrate that he/she possesses the professional knowledge and competence required

in a social worker, or a social worker holding a specialist licence. An appropriate educational institution shall organise this test in consultation with the Medical Director of Health.

A licence and specialist licence is issued when the applicant commences work in Iceland.

#### Article 13

##### *Fees.*

Fees for the issue of a licence and specialist licence are subject to Article 10 of the Treasury Supplementary Revenues Act, No. 88/1991.

Fees for all administration undertaken by the Medical Director of Health with regard to applications for licences and specialist licences, in addition to the fee under the first paragraph, and for tests of professional knowledge and competence, are subject to Regulation on fees for applications for healthcare practitioners' licences and specialist licences, No. 951/2012.

#### Article 14

##### *General provisions.*

Otherwise the provisions of the Healthcare Practitioners Act, No. 34/2012, the Medical Director of Health and Public Health Act, No. 41/2007, the Medical Records Act, No. 55/2009, the Health Service Act, No. 40/2007, the Patients' Rights Act, No. 74/1997, the Act on the Affairs of Disabled People, No. 59/1992, and other legislation and government directives apply to social workers.

#### Article 15

##### *Entry into force.*

This Regulation, issued on the basis of Articles 5, 8, 30 and 31 of the Healthcare Practitioners Act, No. 34/2012, takes effect on 1 January 2013. From that time the Regulation on specialist licences in social work, No. 555/1999, with subsequent amendments, is abrogated.

#### **Temporary provision.**

A social worker who has, when this Regulation takes force, already commenced specialist training under the terms of the Regulation on specialist licences in social work, No. 555/1999, may arrange his/her studies in accordance with the provisions of that Regulation. Those who commence specialist training after this Regulation takes effect shall arrange their studies in accordance with the new Regulation.

*Ministry of Welfare, 11 December 2012.*

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*Vilborg Ingólfssdóttir.*

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