



ALBERTA COLLEGE OF
SOCIAL WORKERS

Professional Liability Insurance Changes for RSWs

Hello and welcome to the ACSW session about the changes to professional liability insurance for social workers.

Land Acknowledgement

Our work takes place on the lands of diverse Indigenous Peoples including First Nations, Métis, and Inuit Peoples.

We acknowledge that many of our workplace structures are based in the same colonial structures that continue to contribute to the oppression of Indigenous Peoples who have lived and worked on this same land for generations.

The ACSW is focused on public protection and is committed to reconciliation as an organization and for the profession.

We strive to empower social workers to challenge harmful workplace practices. As Treaty people, we are committed to collaborating to achieve health, safety, and justice for Indigenous People on this land.

I would like to start with a land acknowledgement.

Session Objectives

- Understanding the role and responsibility of the ACSW
- Understanding professional liability requirements
 - What is professional liability insurance
 - Personal liability insurance vs employer provider liability insurance
 - Cost of professional liability insurance
 - Requirement for all RSWs
- Changes to professional liability insurance requirements at ACSW
 - Changes in coverage amounts
 - Requirement for legal defense coverage
- What do I need to consider?
 - Length of coverage
 - Other considerations for my practice
- Implementation of changes

Today we plan to cover the following topics

Understanding the role of the ACSW

Understanding liability insurance

Changes in the requirements for liability insurance

Considerations for my practice

Implementation of the changes by the college

It is important to know that this presentation focuses on the ACSW requirements. You will also need to get information from your employer to understand their coverage.

What are regulators?

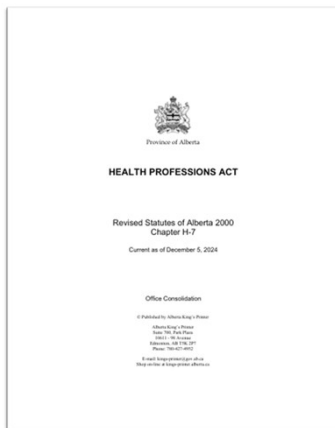
- Regulators are organizations that supervise industries, activities, objects, places, or occupations to ensure public safety and maintain public trust
- Although regulators are created by and accountable to the government, they are independent agencies
- **The ACSW is legislated to regulate the profession of social work in Alberta**



To set the stage, I thought it important to review the purpose of the ACSW. The ACSW is a regulator. Regulators exist to protect the health, safety, and well-being of the public. They minimize public risk by ensuring that practitioners are competent, ethical, and accountable. Regulators are crucial for maintaining the integrity of a profession and establishing trust with the public. Albertans have an expectation that if a professional is licensed by a regulatory body, that person has been thoroughly vetted and deemed competent in their abilities.

The ACSW regulates the profession of social work in Alberta. Remember, if you are practicing in a paid or voluntary capacity within the scope of practice and are eligible for registration, you must be registered.

Health Professions Act



The ACSW mandate and purpose are legislated by the *Health Professions Act* (HPA), which sets out the authority and regulatory duty of the College

Regulators are created through government legislation, typically at the provincial level. The legislation outlines the regulator's mandate and establishes the regulations that the regulator will enforce.

For social workers and other health professionals, that legislation is the Health Professions Act which came into force for social workers on April 1, 2003, and outlines the profession's regulatory mandate to establish requirements for mandatory registration, scope of practice including the practice of restricted activities, continuing competence, and professional conduct. The HPA provides for protection of title for use by registered social workers.

Role of the ACSW



REGISTRATION



**PROFESSIONAL
CONDUCT**



**PROFESSIONAL
PRACTICE**



**SOCIAL WORK EDUCATION
PROGRAM APPROVAL**

Regulation of Social Work Practice in Alberta

The college of social workers has organized itself around 4 key legislative responsibilities: registration, professional conduct, professional practice and the approval of social work education programs to align with the HPA. The registration department ensures that at registration and renewal registrants meet the liability insurance requirements. The professional practice department is responsible for providing you with this education.

What is liability insurance?

- Provides coverage in the event of allegations and/or findings of breaches to the Standards of Practice or Code of Ethics arising from social work practice
- Is a requirement for registration under the HPA for all regulated health professionals
- The ACSW sets the specific requirements for registrants to have professional liability insurance
- Some employers provide liability insurance to its employees

So let's get to the main reason why you are here today starting with understanding professional liability insurance? Professional liability insurance is coverage that provides protection to you in case of unprofessional conduct. Unprofessional conduct refers to allegations and/or findings of breaches to the Standards of Practice or Code of Ethics which can lead to financial or legal consequences.

Unprofessional conduct is further defined in the health professions act.

Understanding liability insurance, however, is not that simple. Not all insurance provides the same type and level of protection.

Understanding the types of coverage the ACSW requires and the kind of professional services you provide coupled with your own personal circumstances will help you determine the level of protection or coverage you want and how that coverage is best provided.

Personal Liability Insurance vs. Employer Liability Insurance

Personal Liability Insurance

- ✓ May provide financial compensation
- ✓ May provide personal legal advice or representation
- ✓ Can tailor to meet your own practice needs, risks and risk tolerance

Employer Liability Insurance

- ✓ May provide financial compensation from claims of wrongful harm arising during one's social work employment including the provision of legal defense counsel, appointed by the insurer
- ? **Does not generally cover representation for regulatory complaints**
- ? **Counsel attending with you at a hearing**
- ? **Does not cover representation or costs of intentional acts of wrongdoing**
- X **Does not cover activities outside of scope of employment or after**

The ACSW permits personal or employer provided coverage. Some registrants purchase their own professional liability insurance, some rely on the coverage provided by their employer and some have both.

To determine which is better for you, the question you need to ask yourself when deciding who provides your coverage is

What coverage does my employer provide and does it meet the ACSW requirements.
What coverage do I have if I am providing services outside of my employment role (private practice, contracted services, volunteer work)

Employer insurance is intended to cover the employer. This may or may not extend coverage or support to the registrants depending upon the circumstances. Many employer provided insurance does not cover professional regulatory complaints against individual employees. This is because employment is not a party in professional regulatory complaint but rather it is a matter between the college and the individual

It is important that you follow up with your employer regarding the extent of their coverage. We have been in touch with AHS and with the GOA. They are aware of these changes and will be providing information for their staff.

Cost of Personal Professional Liability Insurance

- Cost varies by provider and according to the coverage you require
- Typical cost for \$5 million liability and defense coverage with no additional coverage is approximately \$150/year
- [Social Workers Association of Alberta](#) membership includes access to the Canadian Association of Social Workers negotiated professional liability insurance coverage
- Some social workers have accessed coverage through their own carriers (home and vehicle)

There are a number of ways you can acquire personal professional liability insurance. If you are a member of the Social Workers Association of Alberta, you can access coverage through the CASW. There can be some savings when an organization negotiates a policy for a group of professionals.

You can also access coverage through your own insurance carrier.

Typically, the annual fee for insurance will likely be approximately \$150. this can be higher or lower depending on the type of coverage you require and who you get your insurance with. This cost is comparable to other regulated health professions in Alberta which range from \$50 – 100 from SLPs and Audiologists to – \$557/year for psychologists.

Professional Liability Requirements

- The *Health Professions Act*, s. 28(1) requires all regulated health professions to obtain professional liability insurance as a requirement of registration to practice
- The type and amount of insurance is set out in the ACSW bylaws
- Important for all registrants to understand the ACSW requirements for professional liability insurance
- Important to know that whether you are working in a paid or volunteer capacity, you must be registered and have liability insurance

Liability insurance has always been a requirement of regulated health professionals. This is set out in the HPA. The amount and type of insurance is established by the regulators and set out in their bylaws.

Changes to Professional Liability Insurance

- In August 2024, the Minister of Health issued regulators requesting regulators review and address requirements for registrants to have professional liability insurance (PLI).
- Regulators were to ensure:
 - ✓ insurance requirements include coverage that would provide support to the registrant throughout the complaints and discipline process
 - ✓ Type and amount of insurance is sufficient

Why is the ACSW changing its requirements.

In August 2024, the Minister of Health issued a communication to the health professions regulators requesting action to address requirements for registrants to have professional liability insurance (PLI) in an amount sufficient to provide adequate coverage and support, specifically should registrants face the complaints and discipline process.

To respond to this request, the ACSW gathered information to make informed recommendations around PLI from the insurance field, other health regulators in Alberta, social work regulators in Canada, and a review of some examples of PLI certificates supplied by registrants.

ACSW requirements

Current Requirements	Changes to Requirements
• Attestation of liability insurance • No required minimum level of coverage • No requirement for defense counsel • Insurance can be provided by employer	• Proof of liability insurance • 5 million dollars minimum coverage required • Coverage must include legal defense • Insurance can still be provided by the employer if it meets requirements

After consideration and presentation to the ACSW council, these changes to the ACSW bylaws were approved by the council in March 2025.

Insurance Considerations

Registered social workers are responsible for determining what additional insurance coverage they may require. This is based upon the nature of their practice and their own personal circumstances and risk tolerance. The ACSW cannot provide advice on insurance. This next section focuses on areas a registrant may wish to discuss with their employer, insurance professional or other subject matter expert

Length of Coverage

- Complaints are accepted up to two years after the cancellation of your practice permit (whether you retired or left practice for another reason), which may lead to an investigation that could result in a hearing
- Consider with your insurance provider the duration of your coverage

Complaints are accepted up to two years after the cancellation of your practice permit (whether you retired or left practice for another reason) and can be investigated and result in a hearing

Consider with your insurance provider the duration of your coverage.

Other Considerations: Additional Coverage

- Does my insurance policy include coverage for:
- Any students I supervise?
- Staff I employ?
- Office contents?
- Maternity/parental leave?
- Out of province and virtual practice disciplinary defense costs?
- Cyber liability, data breaches and other technology-based issues?
- Coverage for claims made because of my practice, but after your practice permit lapses?

Each of our insurance needs are based upon the type of practice we have, the activities provided and our own personal circumstances.

This list is not exhaustive. It is intended to provide some of the key questions you may wish to have with your employer to understand the extent of their coverage and with an insurance professional/agency when exploring personal insurance options and costs

- Supervising students. Does my coverage extend to students. Is it specific to a particular student or a blanket coverage? As a note my policy charges an additional \$12/student
- Do I have a company that employs people
- Do I have office contents – leave my books, tools or equipment at work. Is there coverage in the event of loss or damage. What is the additional cost
- Does my policy cover me while I am on a leave of absence – remember a complaint could still be filed during this time
- Does my policy cover me for out of province practice and for the complaint process
- Does my policy cover me for virtual practice and for technology based issues including data breaches and hacks
- Coverage for claims made because of my practice, but after your practice permit lapses?

Implementation

- When will this change take place?
- What will I need to provide to the college?
- What if I choose to have coverage through my employer, what will I need to provide as proof of insurance?

We recognize that shifting to these new requirements will impact individual registrants and will need to be implemented in a staged way. Many of you will already meet these requirements. We are planning to start implementation in January 2026, for those who don't already comply with these requirements

If you have private insurance you will need to provide proof of coverage.

If you have employer provided coverage, you will need to attest that you have reviewed the employer provided coverage and that it meets the ACSW requirements.

Implementation Schedule

New Applicants

- Will need to comply with the new requirements effective January 1, 2026

Existing Registrants with employer provided coverage

- Will need comply with the new requirements during registration renewal starting with those renewing in January 2026

Existing Registrants with personal professional liability coverage

- Will need to comply with new requirements when existing policy expires

Our implementation will follow this schedule

For those first-time applicants, effective January 1, 2026 they will need to comply with the new requirements

For existing registrants who have coverage through an employer, you will need to comply with the new requirements when you renew your registration starting with the January 2026 renewal cycle

For existing registrants who have private coverage you will need to comply when your policy is up for renewal.

Summary

- Changes have been made to the professional liability insurance requirements for RSWs
- Each individual social worker has to evaluate their practice and insurance needs over and above the minimum requirements
- ACSW cannot provide insurance advice – you will need to get that advice from an insurance agent/broker
- Registrants have to check with employers to see if insurance meets new requirements
- Social Work Association of Alberta (SWAA) membership provides membership to CASW which has a partnership with an insurance provider

Questions



Any further questions, please email practice.consultation@acsw.ab.ca