CONSULTATION ON THE REGISTRATION OF THE SOCIAL SERVICES WORKFORCE

REPORT BY THE DIRECTOR OF SOCIAL WORK

ABSTRACT

This report advises members of the consultation exercise undertaken by the Scottish Social Services Council (SSSC) on the registration of the social service workforce. The Council’s response is appended for information.

A copy of each of the consultation papers have been placed in the members’ lounge.

1 RECOMMENDATIONS

It is recommended that the Social Work Committee notes the response to this consultation exercise.

2 INTRODUCTION

The Scottish Social Services Council (SSSC) was established by the Regulation of Care (Scotland) Act 2001. Its main purpose is to regulate the social service workforce and their training and education. One of its key tasks is to establish and maintain a register of staff undertaking social work and social care activities. This is the first time that such a register has been established.

The SSSC has issued consultation documents covering:

- Registration rules
- Conduct rules
- Qualification requirements
- Fee levels.

Over time, it is intended that all staff working in a social work setting will be registered. However, the initial register will only apply to certain categories of staff.

3 RESPONSE TO THE CONSULTATION PAPERS

A copy of the Council’s response to the consultation papers is appended to this report.

While many of the comments in our response are technical in nature, we do feel that it is essential that there is clarity around the use of the term “social worker”. We believe that everyone who possess a Diploma in Social Work should be registered under the category of social worker, with secondary registration dependent on the role that they are currently undertaking (e.g. manager in a residential home).

The consultation period ended on 9 September 2002. When the final regulations etc are available, there will be issues to be addressed – for example, clarifying the links between the disciplinary procedures of the employer and those of SSSC. A report will be prepared on these matters at the appropriate time.
4 FINANCIAL IMPLICATIONS

There are no financial implications directly arising from this report.

5 HUMAN RIGHTS ACT IMPLICATIONS

There are no human rights implications arising from the recommendation contained in this report.

6 CONSULTATION

The Chief Executive, the Director of Law and Administration, and the Director of Finance have been consulted in the preparation of this report.

7 CONCLUSION

While the registration of the social services workforce is to be welcomed, it is essential that the register is established appropriately at the outset if it is to be effective.

W B Robertson
Director of Social Work

NOTE  No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) were relied on to any material extent in preparing the above report.
Dear Ms Wilkinson

Consultation on the registration of the social services workforce

In response to your letter of June 2002, I enclose comments from Angus Council social work. If you would like clarification on any of our comments, please contact me.

Yours sincerely

Les Hutchinson
Head of Finance/I.T./Human Resources & Welfare Rights
CONSULTATION ON THE REGISTRATION OF THE SOCIAL SERVICES WORKFORCE

QUALIFICATIONS

Social Worker
This category needs to be defined clearly. Does it relate to the job title of “social worker” or to those people holding a social work qualification (e.g. DipSW), including those who have a different job title (e.g. Care manager, Resource Worker, Director of Social Work, Training Officer …)?

It is our view that everyone with a Diploma in Social Work should be registered under this category, with secondary registration dependent on the role being fulfilled (e.g. manager of a residential home).

Also, we would like clarification about where staff with qualifications from other disciplines should be registered – for example, someone with a nursing qualification who is employed as a Care Manager. It is also worth highlighting that staff in this category may not have maintained their accreditation with the relevant professional organisations (Royal College of Nursing etc).

Managers in Residential Care (Adults)
Angus Council does not accept that a management qualification is required for these posts. The issue of management competence in our opinion is the responsibility of the employer. The role of the Social Services Council should be about ensuring the adequacy of care provision. (Please note these comments apply to all management posts in the consultation paper).

We do not believe that the nursing qualifications described cover the appropriate range of nursing specialisms.

Staff of the Commission
We are concerned about some of the listed awards – e.g. NNEB – given that the staff of the commission are organised on a generic team basis.

Managers in Residential Child Care
Given the nature of residential child care, it is our strongly held view that the only acceptable qualification for the manager is the Diploma in Social Work (or its predecessor qualifications). This also applies to residential services for children with disabilities. If there is a need for nursing input, then people should be employed as nurses to undertake this role.
There may be a need to allow some other awards (e.g. community education) for existing employees, but these would not be acceptable for any staff applying for this category of registration after April 2003.

**Residential Child Care Workers**

We do not agree that SVQ level 2 Care is a suitable award for the type of work undertaken in residential child care.

**FEES**

It is our view that the fee structure should be a simple as possible.

We are not aware of other professional bodies operating sliding scales (other than for students). However, we think that two rates would be appropriate – based on salary levels.

It would be helpful to clarify if there is a fee for re-registration every three years. To our knowledge, this would not be inline with other professional bodies, and we would propose that these costs are built into the annual fee.

Similarly, we would suggest that the cost of obtaining enhanced disclosures should be built into the registration and annual fees, rather than having separate charging arrangements.

**REGISTRATION AND CONDUCT RULES**

We feel that greater effort should be made to ensure these rules are written in plain English.

**Registration**

Generally, we feel that the criteria need to be clearer

**Admission to the register**

The explanatory note indicates (para 7) that “It will not be possible to register in more than one part of the register at a time”. We cannot find this statement in the draft rules.

Para 6 (2) indicates that “applicants should specify the part of the register to which they wish to be admitted“. We believe that the part of the register should be defined by the function that they are undertaking. For example, the manager of a residential home for adults who holds a DipSW should be registered in the section covering managers of residential homes for adults.

**Admission to the part of the Register for Social Workers**

The term social worker needs to be defined – i.e. does it relate to qualification or function?

Para 7(2) – we are concerned that the emphasis is placed on “good character”, rather than competence in role. How is “good character” defined and how will it be assessed?

Para 7(2) – we would welcome clarification on the Disclosure Scotland process, given that employers are currently requesting disclosures for new staff. The duplication of effort – and cost – should be considered.
Para 7(5) – We are concerned at the use of the term "may be required". If this is not going to be required of all newly-qualified social workers, what are the criteria for establishing that it is required?

We would also like clarity about what constitutes a “successful probationary period” and who will assess this?

Para 7(9) – Again, the use of the word “may” causes concern. What criteria will apply to this requirement?

Admission … for Social Work Students …
Para 9 (5) What will happen where a student is employed in another function – e.g. residential child care worker – and undertakes a course of study while still employed (for example, through distance learning)?

Conduct Rules
We would welcome clarity about the way that allegations can be submitted to SSSC, and how SSSC will liaise with employers, especially regarding the employer’s disciplinary procedures.

Also, there needs to be a consistent approach to providing feedback to the employer about the outcome of investigations, conduct and health procedures.

The Conduct Procedure
Decisions
Para 14(1) – While we agree that it is an appropriate outcome, suspension from the register will cause significant difficulties for employers, who will need to consider terminating the individual’s employment – since they will be deemed no longer competent to fulfil their duties. (This also applies to the health procedure.)

Publication of the committee decisions
Para 15 (1) (a) – We are concerned by the prospect of publicly (viz. on a website) publishing the outcome of hearings. It would be helpful to have a clear explanation at to why publishing in public is desired.

The Health Procedure
Notice of referral
Para 17 (4) - What will happen if the social services worker refuses to see the medical examiner?