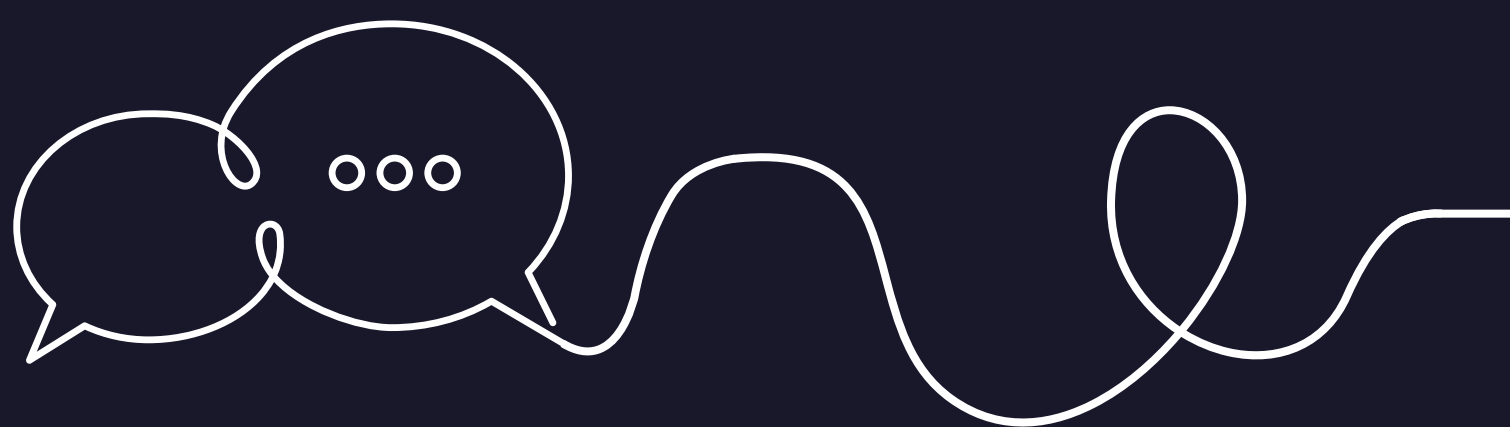


Reshaping Standards, Enabling Change

Consultation Response



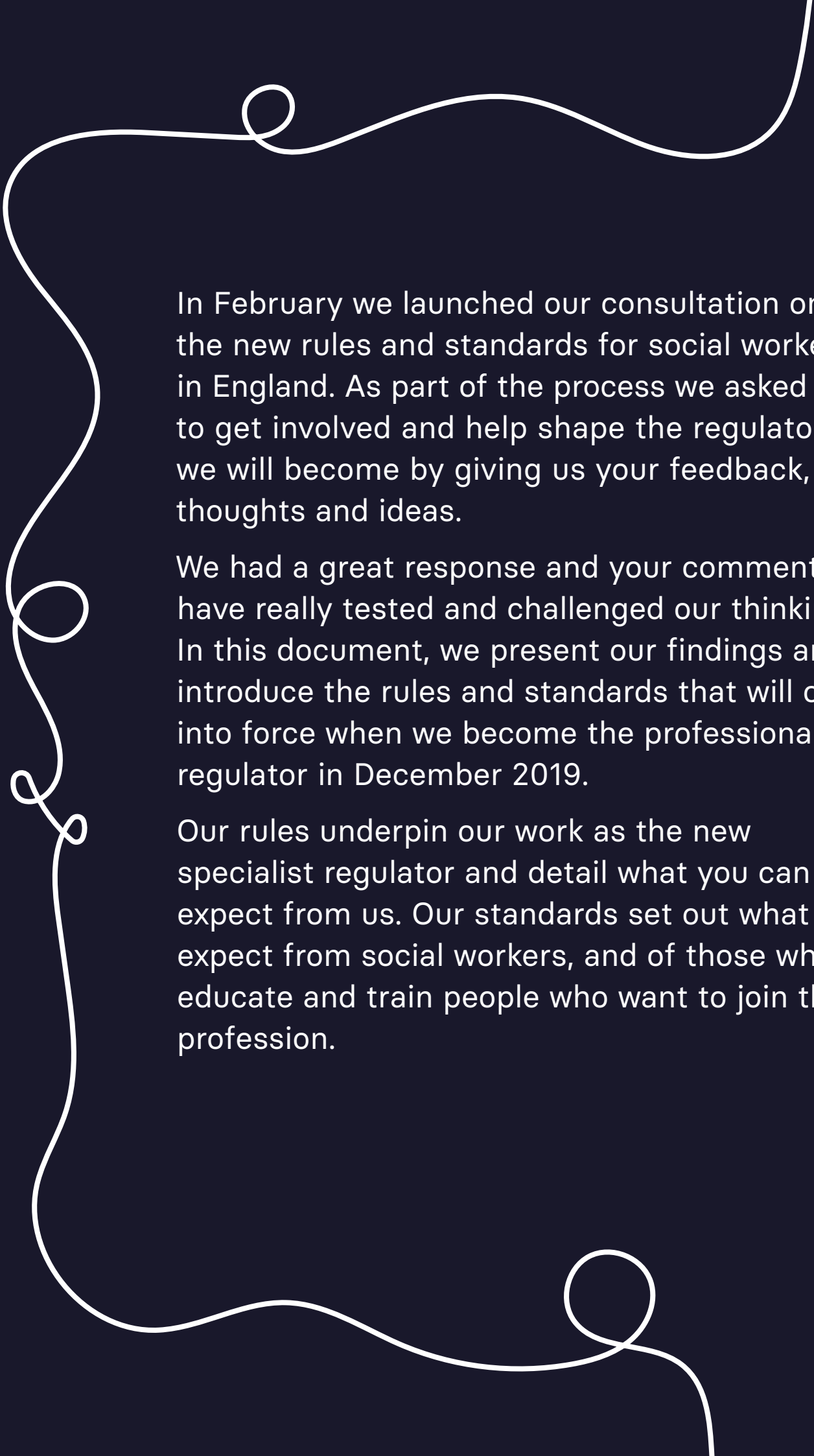


A message from the CEO

Colum Conway
Chief Executive



Social
Work
England



In February we launched our consultation on the new rules and standards for social workers in England. As part of the process we asked you to get involved and help shape the regulator we will become by giving us your feedback, thoughts and ideas.

We had a great response and your comments have really tested and challenged our thinking. In this document, we present our findings and introduce the rules and standards that will come into force when we become the professional regulator in December 2019.

Our rules underpin our work as the new specialist regulator and detail what you can expect from us. Our standards set out what we expect from social workers, and of those who educate and train people who want to join the profession.

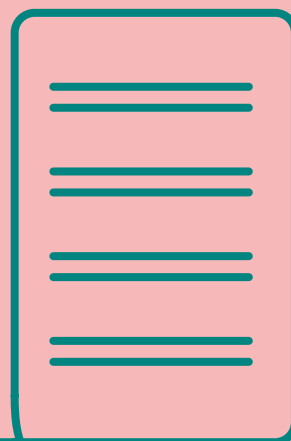


The challenge for us all now is to bring these standards to life so that they are embedded across the profession, reflecting the value and diversity of social work practice and the positive impact it has on people's lives, families and communities.

We are committed to collaborative working and we believe that these standards and rules demonstrate this commitment. They are robust and evidence based, and reflect the views and expertise of a wide range of people. Thank you to everyone who gave us their time, energy and knowledge—you have made an immense contribution to the establishment of Social Work England.

This milestone is one of the first steps on our journey to becoming the regulator. We look forward to many more opportunities for collaboration and development in the years ahead.

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About us

Every day, social workers support millions of people to improve their chances in life. Social Work England is a specialist body taking a new approach to regulating social workers in their vital roles.

We believe in the power of collaboration and share a common goal with those we regulate—to protect the public, enable positive change and ultimately improve people's lives.





Introduction

Rules and standards sit at the core of our ability to regulate social workers in England.

Our rules set out what people can expect from us across registration, education and training, and fitness to practise. Our professional standards set out the requirements we expect social workers to meet and continue to meet to maintain their registration.

We also set standards for the providers of social work education and training courses. These standards ensure that the right students are admitted onto social work courses, that they are working towards the professional standards, and that they are preparing for employment as a social worker.



We started talking to people about our rules and standards in 2018. We talked with our professional expert group¹ and our experts by experience² who offered advice and challenge on our initial proposals.

After the consultation closed on 1 May 2019, we published a first look document to provide a preview of the feedback ahead of the full consultation response.

In this preview document we noted the feedback we received to the rules and standards, set out our response, and provided our rationale for any changes made. We also provided a summary of some of the feedback we received about social work generally, including personal experiences and hopes for us as the new social work regulator.

On 21 February 2019 we launched a public consultation, which ran for 10 weeks and covered five areas:

1

Professional standards



2

Qualifying education and training standards



3

Education and training rules



4

Registration rules



5

Fitness to practise rules



¹ Association of Directors of Adults Social Services, Association of Directors of Children's Services, Association of Professors of Social Work, Become, British Association of Social Workers, CAFCASS, Chief Social Worker for Children and Families, Chief Social Worker for Adults, Frontline, Goldsmiths University London, JUCSWEC, Local Government Association, Northern Ireland Social Care Council, NSPCC, Principal Adult Social Worker Network, Principal Child and Family Social Worker Network, Professional Standards Authority, Scottish Social Services Council, Shaping Our Lives, Skills for Care, Social Care Institute for Excellence, Social Care Wales, Think Local Act Personal, UNISON, University of Bradford, University of Central Lancashire, University of Sheffield and Youth Justice Board.

² The experts by experience group are comprised of people with a wide variety of lived experience of social work. The group is facilitated by us and its purpose is to inform and challenge our thinking, increase communication and understanding of different perspectives, and create real opportunities for engagement in order to make effective change happen.

How we consulted

Through the consultation we wanted to reach as many people as possible who have an interest in our work. To do this, we designed a consultation approach which enabled us to engage with people in several different ways.

From 21 February to 1 May 2019, we held six public events across the country, as well as two events for people with lived experience of social work. We also turned to our professional experts and our experts by experience, who advised us on the development of our original proposals. In addition to face-to-face engagement, we asked questions in online surveys and held six Twitter question and answer sessions.

This approach helped us to understand the response to our proposals and to hear everyone's views and voices.



How we gathered responses to the consultation

Our public events took place in London, Plymouth, Salford, Newcastle, Birmingham and Sheffield. At these events, we talked through our proposals and captured feedback from attendees.

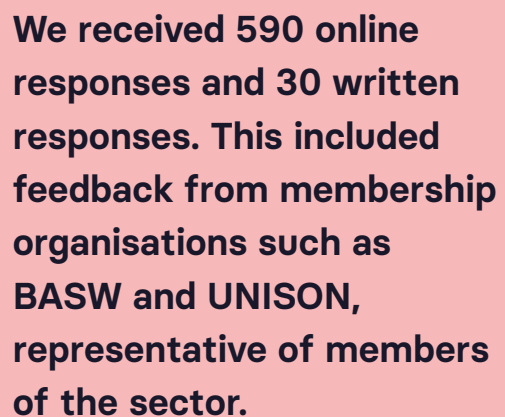
We held table discussions at our events to maximise the opportunity to hear from people, allowing attendees to ask questions and share their experiences. Social Work England staff took notes, which were sorted into themes alongside feedback received by email, post and through our social media channels. Visual artists attended the events to track conversations in images and allowed people to record their thoughts.

We worked with the Social Care Institute for Excellence (SCIE) to run two events specifically for children, young people and adults with lived experience of social work. These groups discussed the professional standards and the standards for education and training. The workshop style events aimed to make the content engaging and allowed a range of ways to participate. A visual artist also recorded the conversations at these sessions. SCIE and the event attendees coproduced a report of their recommendations.

The workshop style events aimed to make the content engaging and allowed a range of ways to participate.



A man with long, wavy brown hair and glasses is speaking into a black microphone. He is wearing a blue and white checkered button-down shirt and a black wristband. His right hand is raised, gesturing with his fingers. In the background, another person with short dark hair and glasses is partially visible, looking towards the speaker. The setting appears to be a conference or panel discussion.

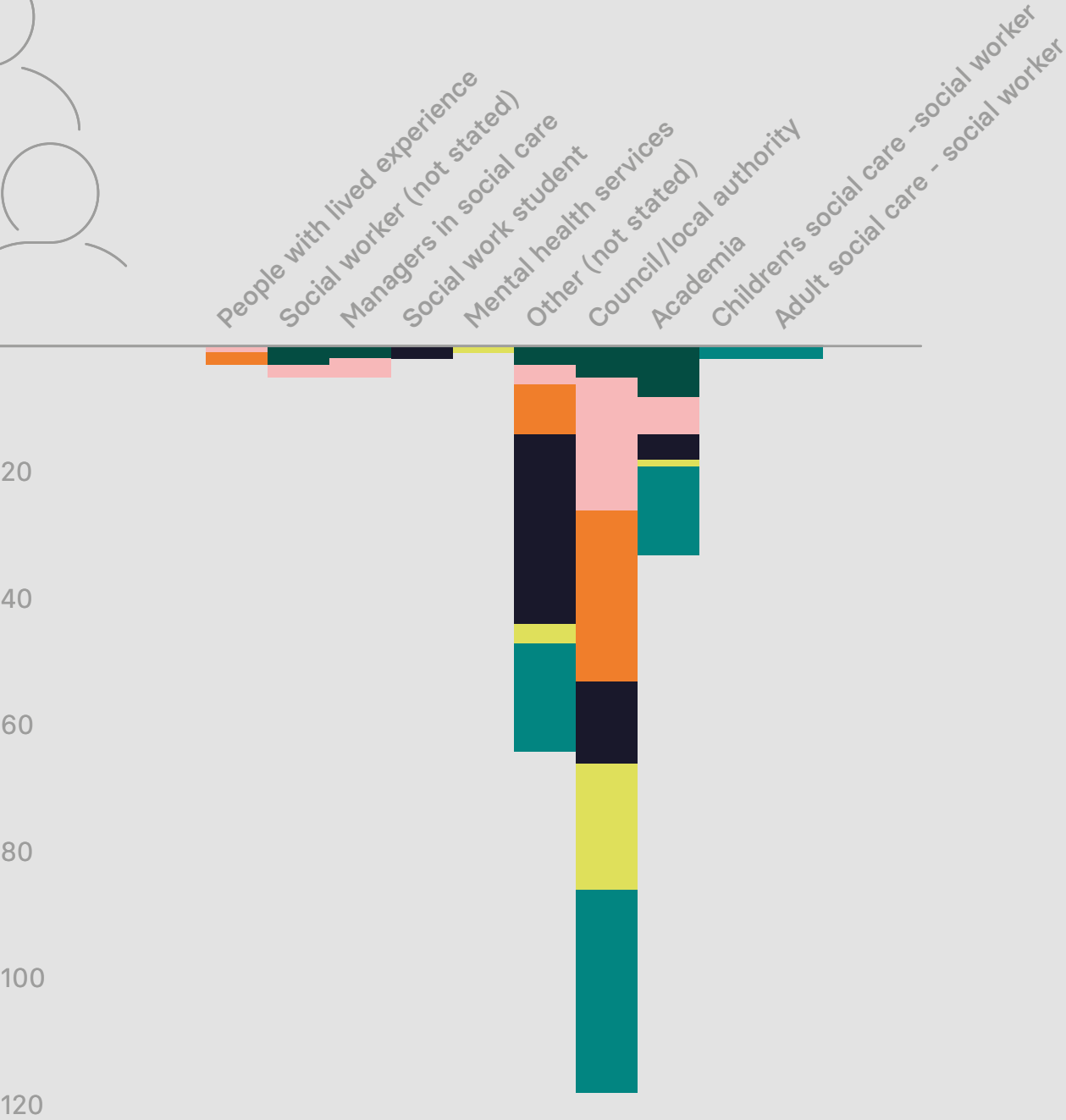


Who responded?

Consultation event results

Here we show a breakdown of the people who attended our six national events, based on the information they gave us (if provided). We also held two additional events for people with lived experience of social work.

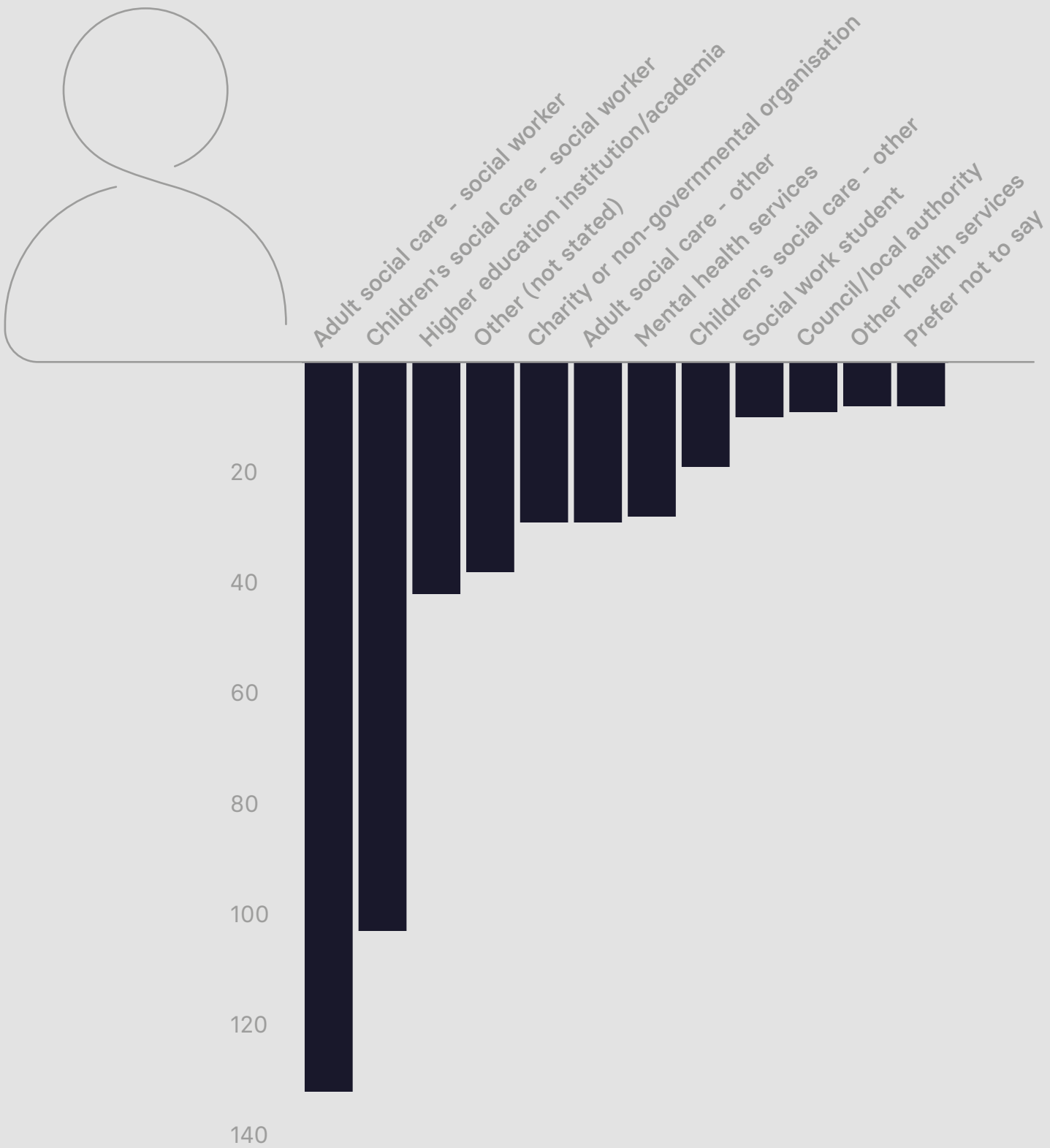
- Location key
- Birmingham
 - Sheffield
 - Newcastle
 - Salford
 - Plymouth
 - London



Who responded?

Online survey results

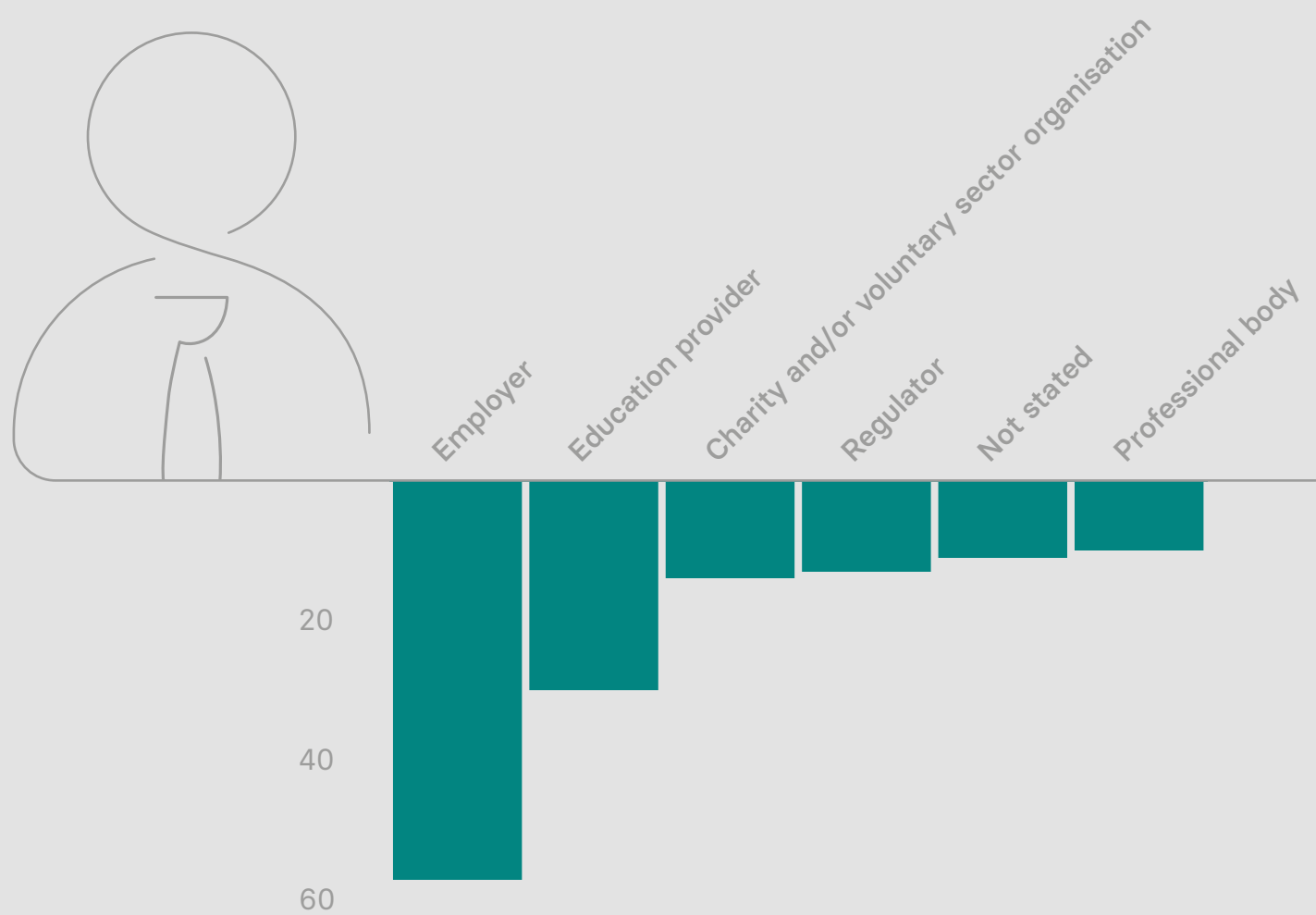
People responding as individuals and their role
Total respondents: 455



Who responded?

Online survey results

People responding on behalf of their organisation
Total respondents: 135



What we heard

As part of the consultation we took the opportunity to ask people what they thought about social work regulation in England more generally. This feedback continues to inform our work and in the 'next steps' section, we set out how we have reflected on these comments. Here are just a few from people who took the time to tell us about their personal experiences.

'I want social workers to be committed in the role, then you can't just leave out of the blue.'

Person with lived experience

'We need to make sure all social workers sing from the same song book.'

Person with lived experience

'[The public] have limited knowledge regarding the role of a social worker.'

Social worker

'One set of standards means consistency in the quality of the social work practice.'

Social worker



'We get treated like we don't matter, respect our history.'

Person with lived experience

'A recurring theme in disciplinary hearings for social workers is that they are overworked/have an overwhelming caseload, in addition to other complaints such as having to work in unsatisfactory conditions.'

Social worker



'The use of social media has, on occasions, revictimised those who have entered the 'system' and I fear this has undermined our profession somewhat.'

Social worker

'There is always the concern that the list of standards are a list to use as disciplinary measures against staff rather than a supporting tool to the profession.'

Social worker





**'Social workers
should be trained
to support people
to recognise and
realise their goals.'**

Person with lived experience

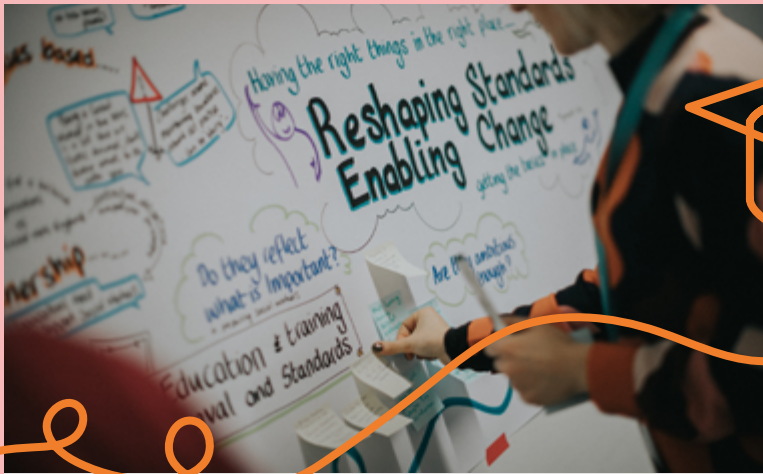
**'I must be able to listen
to and understand
clearly the needs
presented by the
service receiver. That
to me is where the
need for understanding
resides. That interface.'**

Social worker

**'It can be challenging
at times to promote
professional social work
standards in an NHS
trust where the health
care culture
is dominant.'**

Social worker





'I think the interaction between the professional capabilities framework and knowledge and skills statement is quite confusing for most practitioners.'

Social worker

'[Social workers who are care experienced, should be] using it well, not 'oversharing' their own experiences or because they experienced something similar.'

Person with lived experience

'I find the PCF more than adequate and cannot understand why there had to be the KSS let alone now a third document.'

Social worker

'What happens when students enter the system? Social work students are equipped to be good social workers, but something happens when they enter employment... what is it?'

Person with lived experience

'The public, the media and other professionals have such low regard for social workers which is sad and unacceptable and needs to be addressed...'

Social worker



'My experience is that in this current climate of managerialism, social worker managers (and I have been one) are not supported by the organisation to uphold social work values.'

Social worker

'Glad it is changing to a social work governing body - more specialised and gives the profession more credibility.'

Social worker



1

Professional standards

The professional standards are the standards that we will expect social workers to meet and uphold.



Professional standards

What you said

The average approval rating in the survey for the proposed professional standards was 4.4 out of 5.0. The professional standards were generally seen as clear, simple and accessible. Most comments focused on clarity, strengthening areas of social work practice and personal accounts of the social work environment.

Social workers described being able to relate to the professional standards, which they said are strengths-based, specialist, and reflective of social work values. Most approved of the 'I will' statements. Some felt that the professional standards were too detailed and, in places, open to interpretation. There was notable concern about the number of standards and frameworks for social workers. Many expressed a desire for employers to support social workers in meeting the standards, especially in busy work environments.

The infographic features a teal square background. In the center, the number '4.4' is positioned above a diagonal line, with the number '5' below it, representing the fraction 4.4/5.

4.4 / 5

The average approval rating in the survey for the proposed professional standards

Most social workers approved of the 'I will' statements.

Professional standards

What you said

People with lived experience of social work recommended making the professional standards clearer. Young people suggested bringing the standards alive with real life examples, whereas the adults thought there should be more emphasis on rights-based approaches and social justice. For both groups, listening, communication, honesty, compassion, reliability and knowledge were the key features of a good social worker.

Other responses were about perceived gaps. Supervision, resilience, duty of candour and leadership were areas that individuals and organisations suggested we should include. Some felt that the standard relating to continuing professional development (CPD) was underdeveloped. Many asked for guidance to support the standards. Some also requested a map of the professional standards against other frameworks and standards that social workers work with, to show how they relate.

The group of young people suggested bringing the standards alive with real life examples.

The adults thought there should be more emphasis on rights-based approaches and social justice.



1

Professional standards

What we did

→ We recorded the professional standards.

→ We moved the standard on CPD and provided greater detail on the standards that sit beneath it.

→ We added that, where social workers are working with people, they include feedback from them when reflecting on their practice.

→ We recognised the concern over ambiguity, we separated out individual standards and added language where appropriate to elaborate on meaning.

→ We made greater reference to social justice, social work practice and rights-based approaches in social work.

→ We have added new standards, including standards on families and communities, assessments, culture and proportionate interventions.

→ We understand that the landscape of standards for social work is considered crowded and we will work with relevant social work organisations to produce a map.

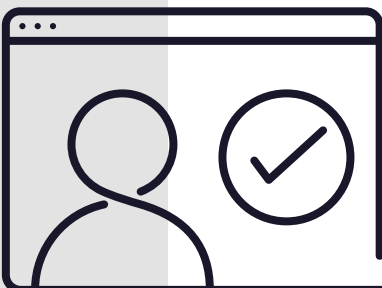
A table detailing the changes we made to the professional standards and why is at **annex 1**.



Qualifying education and training standards (2020)

Our qualifying education and training standards (2020) set out the requirements we expect social work courses to meet.

These new standards will be in place from autumn 2020. We are also publishing our first set of education and training standards (2019), which will be implemented from the date that we become the social work regulator. These standards will mirror the current standards for education and training, with some minor changes. The reason we are taking this approach is to allow course providers time to make any changes that are required as a result of our new 2020 standards.



Qualifying education and training standards (2020)

What you said

The average approval rating in the survey for the 2020 education and training standards was 4.0 out of 5.0. The standards were generally seen as positive, robust and covering all the necessary areas. People particularly welcomed the standard on supporting students. Respondents were positive about the fact that the standards have been developed through collaboration with the sector.

Education providers asked for guidance to better understand how to apply the 2020 education and training standards. Respondents also wanted a clear definition of a statutory placement. Some were concerned that statutory placements would limit students' experiences and be difficult for education and placement providers to manage. Others felt that they were essential for helping students to gain the required skills and knowledge.

4.0 / 5

The average approval rating in the survey for the 2020 education and training standards

People particularly welcomed the standard on supporting students.

Qualifying education and training standards (2020)

What you said

The people with lived experience of social work who were involved in the SCIE events suggested that admissions processes should include a consideration of students' values, personal traits and prior experience. They also thought that co-production should take place in all aspects of education, including student selection, course design, course delivery, student placements and assessment.

Other responses included feedback about the importance of students' health, wellbeing and risk whilst on placement. Some suggested that we needed a greater emphasis on preparing students to undertake CPD when qualified.

Co-production
should take place
in all aspects of
education.

Qualifying education and training standards (2020)

What we did

→ We amended the wording of the standards to clarify that they apply to all routes into social work, and that the 200 placement days can include up to 30 days for skills training.

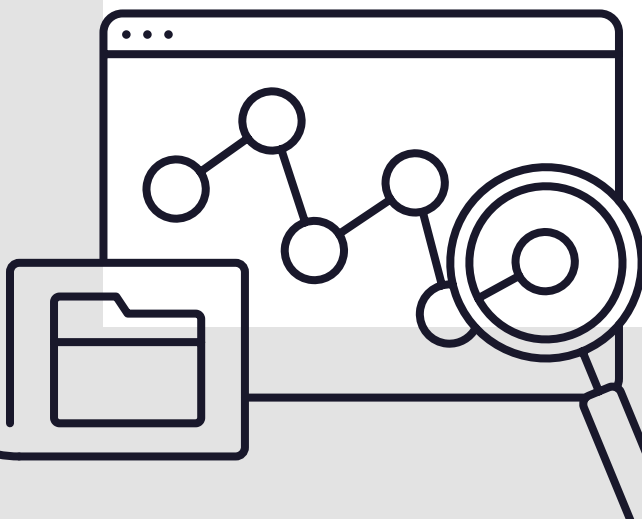
→ We placed more emphasis on students' development of knowledge and skills in order to meet the professional standards once qualified.

→ We included a new standard about policies, procedures and support systems for students on placement.

→ There is also a new standard about considering students' prior experience as part of admissions processes.

→ After careful consideration, we decided to maintain the requirement for one statutory placement in order to ensure all students gain experience in practice settings that prepare them to register with us and practise as social workers. Our draft guidance on practice placements includes a detailed definition of what we mean by a statutory placement.

A table detailing the changes we made to the qualifying education and training standards (2020) and why is at **annex 2**.



The education and training rules set out how we will approve and reapprove social work courses that qualify people to register as a social worker.



Education and training rules

What you said

The average approval rating for the rules in the survey was 4.0 out of 5.0. The proposed rules were generally seen as positive, but the feedback we received was varied.

The most common area of feedback was that the standard of English among social work students should be monitored and improved. Similarly, some identified the absence of specific criteria in relation to tests of knowledge of English.

The most common area of feedback was that the standard of English among social work students should be monitored and improved.

The proposed rules were generally seen as positive.

4.0 / 5

The average approval rating for the rules

Education and training rules

What you said

Several people wanted a definition of 'best practice' in relation to best interest assessors. Social workers who are also qualified best interest assessors ensure that decisions about people which affect their liberty are taken with reference to their human rights and safeguard their best interests.

Across the education and training rules, there was a general desire for guidance to support the rules, to help make specific aspects clear for education and training providers. A small number of respondents felt inspections should not include observing lectures.

Several people wanted a definition of 'best practice' in relation to best interest assessors.

Across the education and training rules, there was a general desire for guidance to support the rules.

3

Education and training rules

What we did

→ We have added an additional criterion to rule 3 to address tests of knowledge of English, and to link this criterion to the professional standards and registration requirements.

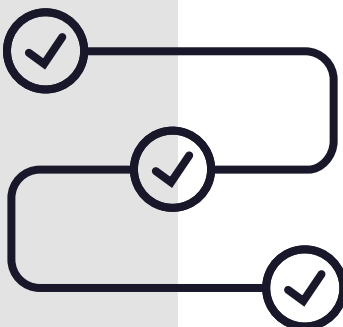
→ We have reduced the timescales for the drafting and publication of an inspection report.

→ We will provide guidance to support the implementation of our rules.

A table detailing the changes we made to the education and training rules and why is at **annex 3**.



Our registration rules set out what we will require from social workers who register with us. This includes how the registration and appeal process will work. The rules also set out the registration renewal period, requirements around CPD and how we will collect fees.



Registration rules

What you said

The average approval rating in the survey for the rules was 3.9 out of 5.0. Most of the feedback we received related to CPD, information recorded on the public register, fees and annual renewal.

We received a high number of queries around the information that we will require at registration and the information we will publish on the public register. Social workers expressed a concern that displaying the postal town of their registered address may compromise their safety. Others asked how we intend to record gender identity.

3.9
/ 5

The average approval
rating in the survey
for the rules

Social workers
expressed a concern
that displaying the
postal town of their
registered address
may compromise
their safety.

Registration rules

What you said

In the rules, we propose a renewal of registration on an annual basis. Professional organisations, as well as several individual respondents queried the rationale behind this. Most of the feedback we received relating to fees centred around concerns over anticipated increases. The rules set out our fee structure and how we will collect fees - they do not detail the levels of fees.

Overall, respondents felt the proposals around CPD were a positive step and would encourage a shift in the profession's learning culture. There were concerns that keeping CPD records up to date could be an additional pressure for social workers. The proposal of an online recording system was generally very well received, with respondents wanting an easy to use system, available on mobile devices. Social workers who attended our public events generally disliked measuring learning in hours or points.

Overall,
respondents felt
the proposals
around CPD were
a positive step.

Social workers who
attended our public
events generally
disliked measuring
learning in hours
or points.

4

Registration rules

What we did

- We have clarified that only the postal town of the employment address will be displayed on the public register. Where no employment address is provided, no other postal town will be displayed.
- We have made clearer that gender identity of social workers will not be made available to the public on the register.
- We strongly believe that annual renewal of registration has several benefits. It will ensure regular and ongoing engagement with registrants, will help to keep the public register and contact information about registrants up to date, and will assure the public that CPD is being undertaken by all social workers regularly. For this reason, we have decided that we will have an annual cycle of renewal.
- We will provide guidance on aspects of the rules, including what information should be provided during the application process, and how decisions will be made about applications. Following consultation, we are developing our approach to CPD in more detail and will undertake a public consultation in the coming months.

A table detailing the changes we made to the registration rules and why is at **annex 4**.



The fitness to practise rules set out what will happen when someone raises a concern about a social worker.



Fitness to practise rules

What you said

The average approval rating for the rules in the survey was 3.5 out of 5.0. The proposed rules and the fitness to practise process were generally seen as fair, efficient and designed with social workers in mind. Most welcomed its potential to speed up an investigation for all involved, as well as the support for social workers and those raising a concern.

People responded well to the triage process, where we will scrutinise concerns from the outset. Social workers expressed a desire to understand the threshold for raising a concern and requested guidance to make this clear. We also received positive feedback about the role of case examiners, who have the ability, where appropriate, to close investigations without a hearing. Respondents also appreciated the involvement of social workers throughout an investigation.

The proposed rules and the fitness to practise process were generally seen as fair, efficient and designed with social workers in mind.

3.5
/ 5

The average approval rating for the rules in the survey

Fitness to practise rules

What you said

Professional bodies generally disagreed with the proposal to use panels without a social worker present, and with the proposal to hold hearings without a legal expert in some circumstances. Some suggested that the availability of advice from the legal expert can assist in avoiding unnecessary appeals. Views were generally mixed on the extent to which hearings should take place in public.

In addition to the rules, social workers were interested in the role of employers in fitness to practise cases. This included how employers learn from investigations involving their employee(s), and how employers may be involved in the investigation process. Some respondents also raised concerns about the legalistic style of the language in the rules and encouraged a 'plain English' description of the process.



Some suggested that the availability of advice from the legal expert can assist in avoiding unnecessary appeals.



Views were generally mixed on the extent to which hearings should take place in public.

5

Fitness to practise rules

What we did

→ Acknowledge the strength of opposition to the proposal around not having social workers on panels and the possibility to hold hearings without a legal expert. We have removed this from the rules. Our objective was to save costs to registrants by not having legal resource as part of investigations where they don't require it. We recommend that we study such investigations over several years and report on how often bespoke legal advice was required.

→ Intend to provide several guidance documents to support the fitness to practise process. We also anticipate that our regional engagement leads will be at the forefront of conversations with social workers and employers across the country.

→ Agree that plain English explanations of the process will be helpful, and we will produce these separately. The language of the rules themselves must be unambiguous in a legal sense, so they are necessarily legalistic in tone.

A table detailing the changes we made to the fitness to practise rules and why is at **annex 5**.

Plain English explanations of the process will be helpful.



The final rules and standards

Following consultation, the rules and standards were signed off by the Secretary of State for Education and will come into effect when we begin regulating. We understand from the feedback we have received that people would like to see guidance to support the standards and to make clear what the rules will mean in practice.

We are currently working on developing guidance materials and policies, some of which we will consult on publicly to make sure we are making our work clear, transparent and understandable.

Some of the guidance that we will be seeking feedback on through a public consultation in the coming months, includes:

→ **Fitness to practise sanctions policy, triage decision making guidance, pre-hearing case management guidance and our publications policy;**

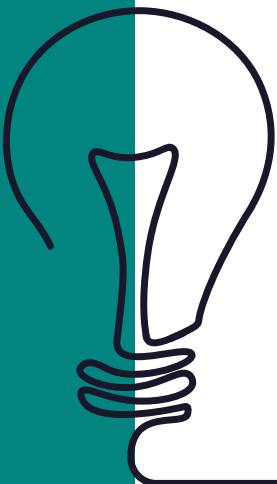
→ **Continuing professional development guidance and evidence framework.**



What we have learned

This consultation was our first opportunity to talk with people about social work, their experiences and their hopes for a new, specialist regulator.

All the feedback we have received enables us to build a picture of the profession we will regulate and the people who sit at the heart of our overarching objective of public protection. The 'what we heard' section of this document reflects just some of the thoughts and concerns people shared with us, all of which helped to inform our understanding.



What we have learned

→ People with lived experience of social work want to have a meaningful and considered voice about the future of social work regulation.

→ Social workers want clarity. The landscape of social work is “crowded” with standards and the connection between them all is unclear.

→ Social workers want their employers to support them in upholding our standards, accessing supervision and completing CPD.

→ Social workers often struggle with high caseloads, busy work schedules and resource constraints that can mean they feel overworked and under-supported.

→ There is a perception that the role of the social worker is not fully understood by non-social work employers or by the public.

→ A new, specialist regulator is an opportunity to offer clarity to the sector and credibility to the profession.

These lessons have been an invaluable benefit to us and while some of the solutions are not immediate or always within our authority to remedy, we will consider them carefully in the course of our work and in conversation with our partners.

For our part, we will continue to work with people with lived experience of social work and social workers in developing our proposals. This means asking people what would make our work clearer and thinking carefully about what we offer up to the sector, ensuring that we are led by research, intelligence and engagement. We look forward to working with all those who have an interest in social work to become a responsive, fair and effective specialist regulator for social work.

Annex 1:

Professional standards

Changes to the professional standards

Rationale

1. Promote the rights, strengths and wellbeing of people, families and communities.

As a social worker, I will:



Survey and event feedback suggested a focus on strengths. The British Association of Social Workers (BASW) suggested a stronger recognition of the families and communities in which people live. The Association of Directors of Children's Services Ltd. (ADCS) suggested strengthening references to families.

1.1. Value each person as an individual, recognising their strengths and abilities.



Changed from 'treat' to 'value' and included reference to strengths and abilities. See above.

1.2. Respect and promote the human rights, views, wishes and feelings of the people I work with, balancing rights and risks and enabling access to advice, advocacy, support and services.



Feedback advised reframing risk in consideration of rights, and not responsibilities, supported by 11 survey responses.

1.3. Work in partnership with people to promote their wellbeing and achieve best outcomes, recognising them as experts in their own lives.



Feedback from events was that the promotion of independence could be interpreted as independence from the social worker. Social Care Institute for Excellence (SCIE) event attendees disliked the term 'empower'.

1.4. Value the importance of family and community systems and work in partnership with people to identify and harness the assets of those systems.



Focus shifted from 'recognising', to 'valuing' families and community systems.

1.5. Recognise differences across diverse communities and challenge the impact of disadvantage and discrimination on people and their families and communities.



Changed language to acknowledge difference as well as diversity and included families and communities, as per feedback against 1.1.

Changes to the professional standards

Rationale

1.6. Promote social justice, helping to confront and resolve issues of inequality and inclusion.



Strengthened language on social justice, made the standard more concise and added practice elements. BASW suggested a stronger emphasis on social justice and challenging structural inequalities, this was supported by attendees at SCIE events.

1.7. Recognise and use responsibly, the power and authority I have when working with people, ensuring that my interventions are always necessary, the least intrusive, proportionate, and in people's best interests.



Included reference to interventions, linking values with practice. Both BASW and the Professional Standards Authority (PSA) said the draft standard covered two issues and suggested separating power and authority from a social worker's personal values.

Changes to the professional standards

Rationale

2. Establish and maintain the trust and confidence of people.

As a social worker, I will:



Removed 'to effect change', as suggested in survey feedback.

2.1. Be open, honest, reliable and fair.



Integrated standards 2.1 and 2.3.

2.2. Respect and maintain people's dignity and privacy



Moved from standard area 1 and reordered wording.

2.3. Maintain professional relationships with people and ensure that they understand the role of a social worker in their lives.



BASW suggested greater clarity on the definition and scope of this standard.

2.4. Practice in ways that demonstrate empathy, perseverance, authority, professional confidence and capability, working with people to enable full participation in discussions and decision-making.



A range of different feedback suggested that the standards did not cover important aspects of social work conduct and there needed to be greater emphasis on the participation of people in decision making about their own lives. This was supported by the Chief Social Workers and SCIE event attendees.

2.5. Actively listen to understand people, using a range of appropriate communication methods to build relationships.



Minor change to wording.

Changes to the professional standards

Rationale

2.6. Treat information about people with sensitivity and handle confidential information in line with the law.	→	No change to wording.
2.7. Consider where conflicts of interest may arise, declare conflicts as early as possible and agree a course of action.	→	Change in wording to provide greater clarity around the actions expected in response to conflicts of interest.

Changes to the professional standards

Rationale

3. Be accountable for the quality of my practice and the decisions I make.

As a social worker, I will:



Minor change to wording.

3.1. Work within legal and ethical frameworks, using my professional authority and judgement appropriately.



Minor change to wording. Some feedback indicated that the original standard could be interpreted as suggesting that social workers are only obliged to work within some aspects of the law.

3.2. Use information from a range of appropriate sources, including supervision, to inform assessments, to analyse risk, and to make a professional decision.



Minor change to wording. Ofsted suggested including the word 'appropriate'. BASW suggested including supervision as a source.

3.3. Apply my knowledge and skills to address the social care needs of individuals and their families commonly arising from physical and mental ill health, disability, substance misuse, abuse or neglect, to enhance quality of life and wellbeing.



Feedback from consultation suggested that there needed to be greater emphasis on the approach to practice. This was also raised by the Chief Social Workers.

3.4. Recognise the risk indicators of different forms of abuse and neglect and their impact on people, their families and their support networks.



ADCS and BASW advised that the standards needed to be clearer on risk.

3.5. Hold different explanations in mind and use evidence to inform my decisions.



Ofsted suggested making this wording clearer.

Changes to the professional standards

Rationale

3.6. Draw on the knowledge and skills of workers from my own and other professions and work in collaboration, particularly in integrated teams, holding onto and promoting my social work identity.



A range of feedback suggested that this standard needed development and would benefit from more active wording.

3.7. Recognise where there may be bias in decision making and address issues that arise from ethical dilemmas, conflicting information, or differing professional decisions.



Different feedback referred to the importance of ongoing challenge to bias in decision making. Introduced new standard to address ethics in relation to decision making.

3.8. Clarify where the accountability lies for delegated work and fulfil that responsibility when it lies with me.



No change to wording.

3.9. Make sure that relevant colleagues and agencies are informed about identified risks and the outcomes and implications of assessments and decisions I make.



No change to wording.

3.10. Establish and maintain skills in information and communication technology and adapt my practice to new ways of working, as appropriate.



No change to wording.

3.11. Maintain clear, accurate, legible and up to date records, documenting how I arrive at my decisions.



Included 'legible'.

3.12. Use my assessment skills to respond quickly to dangerous situations and take any necessary protective action.



A range of feedback suggested that this standard required greater clarity and stronger language around responsiveness to dangerous situations.

Changes to the professional standards

Rationale

3.13. Provide, or support people access, advice and services tailored to meet their needs, based on evidence, negotiating and challenging other professionals and organisations, as required.



Different feedback suggested introducing language around supporting people to access to advice or services.

3.14. Assess the influence of cultural and social factors over people and the effect of loss, change and uncertainty in the development of resilience.



New standard to reflect practice and working with people, understanding the various factors that may impact them.

3.15. Recognise and respond to behaviour that may indicate resistance to change, ambivalent or selective cooperation with services, and recognise when there is a need for immediate action.



Different feedback suggested the standards should acknowledge the importance of working with people who may be resistant to change.

Changes to the professional standards

Rationale

4. Maintain my continuing professional development.

As a social worker, I will:



PSA suggested that the original reference to 'professional identity' was unclear.

4.1. Incorporate feedback from a range of sources, including from people with lived experience of my social work practice.



Changed from 'ask for' to 'incorporate' to reflect that not all social workers work directly with people. BASW suggested reference should be made to 'service user' feedback, while UNISON suggested that great clarity was needed. Our experts by experience and SCIE event attendees wanted this language included.

4.2. Use supervision and feedback to critically reflect on, and identify my learning needs, including how I use research and evidence to inform my practice.



A range of feedback suggested there was a gap in the continuing professional development (CPD) standards on supervision. This standard has been included to address this issue.

4.3. Keep my practice up to date and record how I use research, theories and frameworks to inform my practice and my professional judgement.



Changed from 'models' to 'frameworks'.

4.4. Demonstrate good subject knowledge on key aspects of social work practice and develop knowledge of current issues in society and social policies impacting on social work.



Feedback from surveys suggested there was a gap in the standards regarding the responsibilities of social workers to understand the political context in which they operate and the decisions and policies that impact their work.

4.5. Contribute to an open and creative learning culture in the workplace to discuss, reflect on and share best practice.



Introduced 'creative' to open learning environments and workplaces.

Changes to the professional standards

Rationale

4.6. Reflect on my learning activities and evidence what impact continuing professional development has on the quality of my practice.



Combines two original standards. Reworded to clarify and make more active. Takes account of suggested changes to wording made by BASW.

4.7. Record my learning and reflection on a regular basis and in accordance with Social Work England's guidance on continuing professional development.



New standard included to clarify responsibility of social workers in recording CPD. People responding to consultation wanted clarity on this standard.

4.8. Reflect on my own values and challenge the impact they have on my practice.



Minor change to wording.

Changes to the professional standards

Rationale

5. Act safely, respectfully and with professional integrity. As a social worker, I will not:	→	Reworded into plain English to provide clarity on the focus of the standard.
5.1. Abuse, neglect, discriminate, exploit or harm anyone, or condone this by others.	→	Minor change to wording.
5.2. Behave in a way that would bring into question my suitability to work as a social worker while at work, or outside of work.	→	No change to wording
5.3. Falsify records or condone this by others.	→	Minor change to wording.
5.4. Ask for, or accept any money, gifts or hospitality which may affect or appear to affect my professional judgement.	→	Survey respondents asked for further clarification on this standard. Reworded to clarify.
5.5. Treat someone differently because they've raised a complaint.	→	The PSA suggested that the original wording about a complainant being treated unfairly due to their complaint appears implied rather than being clearly stated. They suggested reviewing the standard to make it clear.
5.6. Use technology, social media or other forms of electronic communication unlawfully, unethically, or in a way that brings the profession into disrepute.	→	No change to wording.

Changes to the professional standards

Rationale

6. Promote ethical practice and report concerns.

As a social worker, I will:



Reworded to reframe in positive terms and use more active language.

6.1. Report allegations of harm and challenge and report exploitation and any dangerous, abusive or discriminatory behaviour or practice.



No change to wording.

6.2. Reflect on my working environment and where necessary challenge practices, systems and processes to uphold Social Work England's professional standards.



Reworded as a result of feedback suggesting that social workers should consider their working environment and their working relationships when providing challenge.

6.3. Inform people of the right to complain, and provide them with the support to do it, and record and act on concerns raised to me.



Integrated standards 3.5 and 3.6.

6.4. Take appropriate action when a professional's practice may be impaired.



Changed 'social worker's fitness to practise' to 'professional's practise' to reflect the practice of non-social work professionals.

6.5. Raise concerns about organisational wrongdoing and cultures of inappropriate and unsafe practice.



Removed 'which could include whistleblowing', survey respondents and event attendees suggested this should go in guidance.

Changes to the professional standards

Rationale

6.6. Declare to the appropriate authority and Social Work England anything that might affect my ability to do my job competently or may affect my fitness to practise, or if I am subject to criminal proceedings or a regulatory finding is made against me, anywhere in the world.



Removed 'tell my employer'. A number of key stakeholders fed back on this standard. BASW felt it was unrealistic. UNISON said that it placed too much responsibility on social workers. The Association of Professors of Social Work (APSW) wanted clarity on what it meant. Cafcass suggested reducing repetition on the standards that related to 'reporting'.

6.7. Cooperate with any investigations by my employer, Social Work England, or another agency into my fitness to practise or the fitness to practise of others.



No change to wording.

Annex 2:

Qualifying education and training standards

Changes to the qualifying education and training standards

Rationale

1. Admissions

Admissions processes must be robust, transparent, ensure that applicants meet course entry requirements and involve a range of stakeholders.

Outcome: Social work courses recruit students who have the capability and suitability towards developing the knowledge and skills necessary to meet the professional standards and become registered upon completion of the course.



Originally standard 2. Added 'develop the knowledge and skills necessary to meet'. Feedback suggested there needed to be a greater emphasis on a student's developing social work knowledge and skills.

1.1. Confirm on entry to the course, via a holistic/multi-dimensional assessment process, that applicants:

- i. have the potential to develop the knowledge and skills necessary to meet the professional standards;
- ii. can demonstrate that they have a good command of English;
- iii. have the capability to meet academic standards; and
- iv. have the capability to use information and communication technology (ICT) methods and techniques to achieve course outcomes.



Changed 'capability' to 'potential'. Survey and event feedback suggested that only admissions processes can test for the 'potential' to meet the professional standards and not 'capability'.

Added 'develop the knowledge and skills necessary' - see comment above, under standard 1.

1.2 Ensure that applicants' prior relevant experience is considered as part of the admissions processes.



This is a new standard. Survey and event feedback suggested that applicants' prior experience needs to be considered as part of the admissions process.

Changes to the qualifying education and training standards

Rationale

2. Learning environment

The learning environment must provide education and training opportunities that enable students to develop their skills and knowledge across all areas of social work, gain required experience in practice settings and meet the professional standards in supportive, supervised and safe settings.

Outcome: Social work courses deliver, in partnership with practice placement providers, practice learning experiences that support readiness to practise at point of graduation. This includes providing learning opportunities that reflect and allow students to learn from the diversity of the communities they will work with.



Originally standard 3. Changed 'allow' to 'enable'. Feedback from the survey suggested that the word 'allow' suggests an imbalance of power, whereas 'enable' helps to minimise this. Added 'across all areas of social work'. Feedback from a number of key stakeholders (including APSW and JUCSWEC) highlighted that this needs to be made clear within the standards. In addition to amending the wording of this standard, we will also produce clear guidance around this.

2.1. Ensure that students spend at least 200 days (including up to 30 skills days) gaining different experiences and learning in practice settings. Each student will have:

- i. placements in at least two practice settings providing contrasting experiences; and
- ii. a minimum of one placement taking place within a statutory setting, providing experience of sufficient numbers of statutory social work tasks involving high risk decision making and legal interventions.



Added '(including up to 30 skills days)'. Feedback from the events, survey and key stakeholders expressed concern that an increase from 170 to 200 placement days would have financial implications and would remove the capacity for the provision of skills days. This was never intended – the 200 placement days can include up to 30 skills days.

Added 'sufficient numbers' and 'high risk decision making'. Feedback from the Chief Social Workers suggested that in order for students to be prepared for practice in statutory settings upon qualifying, they need to gain experience of high volume high risk social work during their statutory placement(s).

Changes to the qualifying education and training standards

Rationale

2.2. Provide practice learning opportunities that enable students to gain the knowledge and skills necessary to develop and meet the professional standards.



Changed 'allow' to 'enable'. See comment above, under standard 2.
Added 'gain the knowledge and skills necessary to'. See comment above, under standard 1.

2.3 Ensure that while on placements, students have appropriate induction, supervision, support, access to resources and a realistic workload.



Added 'support'. Event and survey feedback suggested that support for students should be included here in addition to formal supervision.

2.6 Ensure that practice educators are on the register and that they have the relevant and current knowledge, skills and experience to support safe and effective learning.



Added 'and current'. Event and survey feedback, and feedback from key stakeholders including Ofsted, suggested that practice educator skills and knowledge need to be current or up to date.

3.3 Ensure that placement providers have the necessary policies and procedures in relation to students' health, wellbeing and risk, and the support systems in place to underpin these.



This is a new standard. Feedback from JUCSWEC suggested that this was missing from the original standards.

4.10 Ensure that educators who are on the register are enabled to continue to meet the professional standards through continuing professional development.



This standard has been deleted. Feedback suggested that the emphasis needs to be on CPD/ registration as an individual (rather than employer) responsibility.

Changes to the qualifying education and training standards

Rationale

4. Curriculum and assessment

Courses must be designed to enable students to develop the required behaviours, skills, knowledge and understanding to meet the professional standards.

Outcome: Social work courses are shaped by the needs and insights of academia, employers, practitioners and people with lived experience of social work. This is to ensure a continually evolving curriculum which is evidence-informed, matches the contemporary demands of the whole sector, is delivered by appropriately qualified and experienced professionals, and produces informed, capable, prepared and motivated graduates who deliver safe and effective services.



Originally standard 5. Changed 'allow' to 'enable'. See comment above, under standard 2.

Added 'academia' and 'is evidence-informed'. Feedback from key stakeholders including APSW and JUCSWEC suggested that this standard needed to include reference to insights from both academic staff and the relevant evidence base.

4.1 Ensure that the content, structure and delivery of the training is in accordance with relevant guidance and frameworks, and is designed to enable students to demonstrate that they have the necessary knowledge and skills to meet the professional standards.



Added 'in accordance with relevant guidance and frameworks', changed 'allow' to 'enable' and added 'have the necessary knowledge and skills'. See comments above, under standards 2 and 1.

4.2 Ensure that the views of employers, practitioners and people with lived experience of social work are incorporated into the design, ongoing development and review of the curriculum.



Added 'and review'. Event and survey feedback suggested that people with lived experience and other external stakeholders/partners also need to be involved in the ongoing review of courses.

Changes to the qualifying education and training standards

Rationale

4.6 Ensure that students are given the opportunity to work with, and learn from, other professions in order to support multidisciplinary working, including in integrated settings.



Added 'including in integrated settings'. Feedback from the events, survey and from key stakeholders including the PSA suggested that the standards needed to be strengthened in relation to working within integrated settings.

4.8 Ensure that the assessment strategy and design demonstrate that the assessments are robust, fair, reliable and valid, and that those who successfully complete the course have developed the knowledge and skills necessary to meet the professional standards.



Added 'fair' on advice from stakeholders.
Added 'have developed the knowledge and skills necessary'. See comment above, under standard 1.

4.10 Ensure students are provided with feedback throughout the course to support their ongoing development.



Swapped with standard 4.10 as this standard refers to supporting students ongoing development and so sits better under standard 5.
Added 'ongoing' to include reference to students ongoing development and CPD.

4.11 Ensure assessments are carried out by people with appropriate expertise, and that external examiner(s) for the course are appropriately qualified and experienced and on the register.



Removed 'at least one'. Feedback from the survey and key stakeholders including JUCSWEC and the Chief Social Worker for Children and Families suggested that all external examiners should be registered.

Changes to the qualifying education and training standards

Rationale

5. Supporting students

Students must receive appropriate educational and pastoral support.

Outcome: Social work students have effective educational and pastoral support to progress through their course and develop the knowledge and skills necessary to meet the professional standards when they qualify.



Originally standard 6. Added 'have developed the knowledge and skills necessary'. See comment above, under standard 1.

5.1 Ensure that students have access to resources to support their health and wellbeing including:

- i. confidential counselling services;
- ii. careers advice and support; and
- iii. occupational health services.



Removed 'and develop their resilience'. Feedback from the survey and from key stakeholders suggested that resilience is a contested concept within the profession. It was also agreed that this would be problematic to assess from an approval and monitoring perspective.

5.4 Make supportive and reasonable adjustments for students with health conditions or impairments to enable them to progress through their course and meet the professional standards, in accordance with relevant legislation.



Removed 'and disabilities' and added 'or impairments'. Language changed to reflect the social model of disability.

5.5 Provide information to students about their curriculum, practice placements assessments, and transition to registered social worker, including information on requirements for continuing professional development.



Added 'and transition to registered social worker – including information on requirements for continuing professional development'. Feedback from the survey and from key stakeholders suggested that the standards need to make more explicit reference to the transition from student to social worker undertaking CPD.

Changes to the qualifying education and training standards

Rationale

5.7 Provide timely and meaningful feedback to students on their progression and performance in assessments.



Swapped with standard 5.7 as this standard refers specifically to assessment and so sits better under standard 4.

Changes to the
qualifying education
and training standards

Rationale

6. Level of qualification to apply for entry
onto the register

Outcome: Social work students who
successfully complete approved courses
are eligible to apply to join the social work
register.



Added 'to apply'. In response to
feedback from the survey, this has
been added to make it clear that
completing a social work course
doesn't provide automatic entry
to the register, but means that
graduates are eligible to apply for
entry.

Replaced 'all students meet the
threshold entry level' with 'social
work students who successfully
complete approved courses are
eligible to apply to join the social
work register' to reflect the above
point.

6.1 The threshold entry route to the register
will normally be a bachelor's degree with
honours in social work.



Added 'will normally be' on advice
from Social Work England's legal
team, and added 'in social work'
in response to feedback from the
survey.

Annex 3:

Education and training rules

Rule at point of consultation

Post consultation

Rationale

Not in consultation version.

3. (2)(c) that for tests of knowledge of English, the relevant institution can demonstrate to the satisfaction of the regulator that any student who successfully completes any such test is able to meet

- (i) the professional standards as required by rule 3(2)(b); and
- (ii) the requirements of regulation 11(2)(c).



English knowledge test not referred to under rule 3.

BASW and the Association of Professors of Social Work requested clarity on what is a 'good command' of English and how Higher Education Institutions assess English.

Consultation feedback suggested that standards of English are a concern for education and training providers.

5.1 Relevant institutions seeking approval to deliver a course of initial education or training, qualifications and tests of knowledge of English, must provide, in the form required by the regulator, evidence of how they meet the criteria for approval set out at rule 3(2)(a)-(b).

5.1 Relevant institutions seeking approval to deliver a course of initial education and training, qualifications and tests of knowledge of English, must provide, in the form required by the regulator, evidence of how they meet the criteria for approval set out at rule 3(2)(a)-(c).



Amended. Evidence of how institutions meet the criteria for approval expanded to include knowledge of English tests. As per above.

Rule at point of consultation

Post consultation

Rationale

5.3 Relevant institutions seeking approval to deliver an AMHP course must additionally in preparation for the inspection provide the regulator with information setting out how they meet the criteria set out in rule 3(2)(c) above no less than eight weeks before the date of the inspection.

5.3 Relevant institutions seeking approval to deliver an AMHP course must additionally in preparation for the inspection provide the regulator with information setting out how they meet the criteria set out in rule 3(2)(d) above no less than 40 working days before the date of the inspection.



Amended. Timeframe amended from 8 weeks to 40 working days.

5.4 Relevant institutions seeking approval to deliver a BIA course must additionally in preparation for the inspection provide the regulator with information setting out how they meet the criteria set out in rule 3(2)(d) above no less than eight weeks before the date of the inspection.

5.4 Relevant institutions seeking approval to deliver a BIA course must additionally in preparation for the inspection provide the regulator with information setting out how they meet the criteria set out in rule 3(2)(e) above no less than 40 working days before the date of the inspection.



Amended. Timeframe amended from 8 weeks to 40 working days.

5.5 On receipt of the information provided under rule 5(1) and no less than eight weeks before the date of the inspection, the regulator will send the information to the inspectors for review.

5.5 On receipt of the information provided under rule 5(1) and no less than 40 working days before the date of the inspection, the regulator will send the information to the inspectors for review.



Amended. Timeframe amended from 8 weeks to 40 working days.

Rule at point of consultation

Post consultation

Rationale

5.7 Following the inspection, the member of the regulator's staff appointed under rule 5(2)(b) will write a draft inspection report on behalf of the inspectors which will be;

(a) agreed by the inspectors within 56 calendar days of the date of the inspection; and

(b) sent to the relevant institution concerned within 10 working days of that agreement.

5.7 Following the inspection, the member of the regulator's staff appointed under rule 5(2)(b) will write a draft inspection report on behalf of the inspectors which will be;

(a) agreed by the inspectors within 42 calendar days of the date of the inspection; and

(b) sent to the relevant institution concerned within 10 working days of that agreement.



Amended. Timeframe for agreement by inspectors amended from 56 to 42 calendar days.

7.3 Relevant institutions seeking reapproval to deliver a course of initial education and/or training, qualifications and tests of knowledge of English, must in preparation for the inspection provide the regulator with information in the required form as to how they meet the criteria set out in rules 3(2)(a)-(b) above and any other information requested by the regulator as being relevant to the inspection no less than eight weeks before the date of the inspection.

7.3 Relevant institutions seeking reapproval to deliver a course of initial education and training, qualifications and tests of knowledge of English, must in preparation for the inspection provide the regulator with information in the required form as to how they meet the criteria set out in rules 3(2)(a)-(c) above and any other information requested by the regulator as being relevant to the inspection no less than 40 working days before the date of the inspection.



Amended. To include requirement to meet approval criteria for knowledge of English tests; and timeframe amended from 8 weeks to 40 working days.

Rule at point of consultation

Post consultation

Rationale

7.4 Relevant institutions seeking reapproval to deliver an AMHP course must additionally in preparation for the inspection provide the regulator with information setting out how they meet the criteria set out in rule 3(2)(c) above no less than eight weeks before the date of the inspection.

7.4 Relevant institutions seeking re-approval to deliver an AMHP course must additionally in preparation for the inspection provide the regulator with information setting out how they meet the criteria set out in rule 3(2)(d) above no less than 40 working days before the date of the inspection.



Amended. Timeframe amended from 8 weeks to 40 working days.

7.5 Relevant institutions seeking reapproval to deliver a BIA course must additionally in preparation for the inspection provide the regulator with information setting out how they meet the criteria set out in rule 3(2)(d) above no less than eight weeks before the date of the inspection.

7.5 Relevant institutions seeking reapproval to deliver a BIA course must additionally in preparation for the inspection provide the regulator with information setting out how they meet the criteria set out in rule 3(2)(e) above no less than 40 working days before the date of the inspection.



Amended. Timeframe amended from 8 weeks to 40 working days.

Rule at point of consultation

Post consultation

Rationale

7.8 Following the inspection, the member of the regulator's staff appointed under rule 7(2)(b) will write a draft inspection report on behalf of the inspectors which will be;

(a) agreed by the inspectors within 56 calendar days of the date of the inspection and;

(b) sent to the relevant institution concerned within 10 working days of that agreement.

7.8 Following the inspection, the member of the regulator's staff appointed under rule 7(2)(b) will write a draft inspection report on behalf of the inspectors which will be;

(a) agreed by the inspectors within 42 calendar days of the date of the inspection; and

(b) sent to the relevant institution concerned within 10 working days of that agreement.



Amended. Timeframe amended from 56 to 42 calendar days.

9.2 The relevant institution must provide in their audit or declaration information as to how they meet the criteria set out in rules 3(2)(a)-(b) above and any other information requested by the regulator as being relevant to the monitoring process.

9.2 The relevant institution must provide in their audit or declaration information as to how they meet the criteria set out in rules 3(2)(a)-(c) above and any other information requested by the regulator as being relevant to the monitoring process.



Amended. To include requirement for institutions to provide in their audit or declaration information concerning knowledge of English tests.

9.3 Relevant institutions delivering an AMHPs course must additionally provide in their audit or declaration information setting out how they meet the criteria set out in rule 3(2)(c) above.

9.3 Relevant institutions delivering an AMHPs course must additionally provide in their audit or declaration information setting out how they meet the criteria set out in rule 3(2)(d) above.



Amended. To reflect the change in numbering due to insertion of new clause regarding knowledge of English test at 3(2)(c).

Rule at point
of consultation

Post consultation

Rationale

9.4 Relevant institutions delivering a BIA course must additionally provide in their audit or declaration information setting out how they meet the criteria set out in rule 3(2)(d) above.	9.4 Relevant institutions delivering a BIA course must additionally provide in their audit or declaration information setting out how they meet the criteria set out in rule 3(2)(e) above.		Amended. To reflect the change in numbering due to insertion of new clause regarding knowledge of English test at 3(2)(c).
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Annex 4:

Registration rules

Rule at point
of consultation

Post consultation

Rationale

11. The following information will not be included in any published version of the register: (1) The information in rule 5, other than the postal town of the address recorded in accordance with rule 5(3), or in the event of no information provided under that rule; (a) the postal town of the address recorded in accordance with rule 5(2).	11. The following information will not be included in any published version of the register: (1) The information in rule 5, other than the postal town of the address recorded in accordance with rule 5(3).	→	BASW and UNISON both requested that the postal town of the employer be published, rather than of the social worker's home address. Social Care Wales and Kingsley Napley believe publishing a social worker's postal town increases the risk to the safety of the social worker. There was a recurring theme throughout the consultation survey and events that a registrant's home address should not be published on the register.
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Rule at point of consultation

Post consultation

Rationale

22. An applicant must provide, along with an application form in accordance with rule 21, the following information and declarations:

- (1) Their personal details:
 - (a) Full name (and former name if any).
 - (b) Date of birth.
 - (c) Nationality.
 - (d) Gender.
 - (e) Home address.
 - (f) All work addresses at which they are currently employed.
 - (g) Telephone number.
 - (h) Email address.

22. An applicant must provide, along with an application form in accordance with rule 21, the following information and declarations:

- (1) Their personal details:
 - (a) Full name (and former name if any).
 - (b) Date of birth.
 - (c) Nationality.
 - (d) Gender identity.
 - (e) Home address.
 - (f) All work addresses at which they are currently employed as a registered social worker.
 - (g) Telephone number.
 - (h) Email address.



The JUCSWEC stated that the personal details should include 'gender identity' as opposed to 'gender'.

BASW stated that we should specify employment 'as a social worker'.

41. (1) A relevant qualification, specialism, accreditation or competence is one of the following:

- (a) Completion, within the last five years, of a course approved by the regulator for persons who are or wish to become an approved mental health professional.
- (b) Completion, within the last five years, of training specified by the regulator to be a best interests assessor.

41. (1) A relevant qualification, specialism, accreditation or competence is one of the following:

- (a) Completion of a course approved by the regulator for persons who are or wish to become an approved mental health professional.
- (b) Completion of training specified by the regulator to be a best interests assessor.



Removed the five year limitation for evidence in support of a request for annotation.

Rule at point of consultation

Post consultation

Rationale

Not in consultation
version.

45. Where an applicant is restored to the register under the process set out in part 8 of these rules, the applicant may also request that any previous annotation is also restored to that entry, and upon such a request the regulator will:

(a) require the applicant to provide, as soon as possible, any further information or evidence requested by the regulator which it considers necessary in support of the request, and

(b) consider such information provided and determine whether the annotation should be restored to the entry on the register and notify the applicant of the outcome.



New rule 45 inserted addressing requests by applicants for previous annotations to be restored to entries on the register

(resulting in change to numbering of rules from rule 45 onwards).

Not in consultation
version.

46. Where the regulator determines not to restore an annotation to the applicant's entry on the register, the applicant may appeal this decision in accordance with part 3 of the Social Work England (registration – removal from the register and registration appeals) Rules 2019.



New rule 46 inserted addressing the appeals process when a decision is taken not to restore an annotation to an applicant's entry on the register.

UNISON stated that the rules should be more clear on the right to appeal against decision made by the registrar.

Rule at point of consultation

Post consultation

Rationale

48. (2) To determine whether rule 48(1)(c) applies, the regulator will apply the criteria in rule 16 of these Rules.

50. (2) To determine whether rule 50(1)(c) applies, the regulator will apply the criteria in rule 16 of these Rules.



Amended. Numbering of rules only as a result of insertion of new rules 45 and 46–no material change.

49. A registered social worker is eligible to have their registration renewed if they provide information in accordance with rule 48 and make a declaration that the information they have previously provided to the regulator under rule 22 has not otherwise changed since their initial registration or previous renewal, as the case may be.

51. A registered social worker is eligible to have their registration renewed if they provide information in accordance with rule 50 and make a declaration that the information they have previously provided to the regulator under rule 22 has not otherwise changed since their initial registration or previous renewal, as the case may be.



Amended. Numbering of rules only as a result of insertion of new rules 45 and 46–no material change.

50. A registered social worker must maintain an up to date record of their continuing professional development in order to demonstrate to the regulator upon request that they meet the requirements of rule 48(1) (a) of these Rules.

52. A registered social worker must maintain an up-to-date record of their continuing professional development in order to demonstrate to the regulator upon request that they meet the requirements of rule 50(1)(a) of these Rules.



Amended. Numbering of rules only as a result of insertion of new rules 45 and 46–no material change.

Rule at point of consultation

Post consultation

Rationale

51. The regulator will notify a registered social worker if they intend to inspect any continuing professional development records that the registered social worker has submitted to demonstrate compliance with rule 48(1)(a) of these Rules.

53. The regulator will notify a registered social worker if they intend to inspect any continuing professional development records that the registered social worker has submitted to demonstrate compliance with rule 50(1)(a) of these Rules.



Amended. Numbering of rules only as a result of insertion of new rules 45 and 46–no material change.

52. If, upon inspection, the registered social worker has not provided information to the regulator which complies with rule 48(1)(a) of these Rules, the regulator may:

(1) decide to remove the registered social worker from the register using the procedure set out in Part 2 of the Social Work England (registration–removal from the register and registration appeals) Rules 2019.

(2) apply conditions to the registered social worker's entry on the register, using the procedure set out in rules 30-36 of the Rules.

54. If, upon inspection, the registered social worker has not provided information to the regulator which complies with rule 50(1)(a) of these Rules, the regulator may:

(1) decide to remove the registered social worker from the register using the procedure set out in Part 2 of the Social Work England (registration–removal from the register and registration appeals) Rules 2019.

(2) apply conditions to the registered social worker's entry on the register, using the procedure set out in rules 30-36 of the Rules.



Amended. Numbering of rules only as a result of insertion of new rules 45 and 46–no material change.

Rule at point of consultation	Post consultation	Rationale
57. (1) An applicant applying to have their entry in the register restored must provide the following information to the regulator: (a) evidence that they meet the professional standards relating to continuing professional training and development; (b) evidence in accordance with rule 15; and (c) where the regulator determines that it is necessary for the registered social workers to do so, evidence that they have the necessary knowledge of English. (2) To determine whether rule 57(1)(c) applies, the regulator will apply the criteria in rule 16 of these Rules.	59. (1) An applicant applying to have their entry in the register restored must provide the following information to the regulator: (a) continuing professional training and development (b) evidence in accordance with rule 15; and (c) where the regulator determines that it is necessary for the registered social workers to do so, evidence that they have the necessary knowledge of English. (2) To determine whether rule 59(1)(c) applies, the regulator will apply the criteria in rule 16 of these Rules.	→ Amended. Numbering of rules only as a result of insertion of new rules 45 and 46–no material change.

Rule at point
of consultation

Post consultation

Rationale

58. An applicant is eligible to have their registration restored if they provide information in accordance with rule 57 and make a declaration that the information they have previously provided to the regulator under rule 22 has not otherwise changed since their last period of registration.

60. An applicant is eligible to have their registration restored if they provide information in accordance with rule 59 and make a declaration that the information they have previously provided to the regulator under rule 22 has not otherwise changed since their last period of registration.



Amended. Numbering of rules only as a result of insertion of new rules 45 and 46–no material change.

Rule at point of consultation

Post consultation

Rationale

61. (1) If a registered social worker fails to provide information or evidence requested in accordance with rule 48(3), or rule 57(3), the regulator may take action in accordance with regulation 16(4).

(2) Where a registered social worker has failed to provide sufficient evidence in accordance with rule 48(1), the regulator may refuse to renew the registered social worker's entry in the register, taking account of rule 27 of these Rules.

(3) Where a decision is made to remove an entry in the register in accordance with rule 61(2) the regulator must follow the procedures in Part 2 of The Social Work England (registration – removal from the register and registration appeals) Rules 2019.

63. (1) If a registered social worker fails to provide information or evidence requested in accordance with rule 50(3), or rule 59(3), the regulator may take action in accordance with regulation 16(4).

(2) Where a registered social worker has failed to provide sufficient evidence in accordance with rule 50(1), the regulator may refuse to renew the registered social worker's entry in the register, taking account of rule 27 of these Rules.

(3) Where a decision is made to remove an entry in the register in accordance with rule 63(2) the regulator must follow the procedures in Part 2 of The Social Work England (registration – removal from the register and registration appeals) Rules 2019.



Amended. Numbering of rules only as a result of insertion of new rules 45 and 46–no material change.

Annex 5:

Fitness to practise rules

Rule at point of consultation

Post consultation

Rationale

Rule 7. The date of the removal under regulation 26(5)(a) must be the date on which the notification under regulation 26(5) (b) is deemed to have been served on the social worker in accordance with the provisions of rule 53.

7 (1) The date of the removal of a registered social worker under regulation 26(5)(a) is subject to regulation 26(7), in that an entry may not be removed from the register until such time that the period within which an appeal may be made has expired, or, if an appeal is made, is withdrawn or otherwise finally disposed of, pursuant to regulation 27.

(2) The date on which notification of removal under regulation 26(5) (b) is deemed to have been served on the registered social worker is in accordance with the provisions of rule 45.



Correction to the rule reference only.

Rule at point of consultation

Post consultation

Rationale

Not in consultation
version.

32(c) The adjudicators
or regulator must
apply the following
procedures:

(i)

(a) The adjudicators
or regulator must first
determine any disputed
facts;

(b) The adjudicators
or regulator must then
determine whether
the registered social
worker's fitness to
practise is impaired
on the basis of facts
admitted and found
proved;

(c) If the adjudicators
or regulator determine
that the registered
social worker's fitness
to practise is impaired,
they must then
determine what, if any,
sanction to impose.



New clause inserted at
rule 32(c).

Clause inserted
as a result of PSA,
JUCSWEC, BASW and
UNISON feedback. See
'procedures and hearings'
section in **annex 1** of the
associated paper.

Rule at point of consultation

Post consultation

Rationale

Not in consultation version.

(ii) At each stage of rule 32(c)(i), the regulator must adduce evidence relevant to that stage and the registered social worker may respond by adducing evidence relevant to that stage.

(iii) Before making a determination at each stage of rule 32(c)(i), the adjudicators may invite the regulator and the registered social worker to make closing submissions on the matter to be determined.



New clause inserted at rule 32(c).

Clause inserted as a result of PSA, JUCSWEC, BASW and UNISON feedback. See 'procedures and hearings' section in **annex 1** of the associated paper.

34. Where a case has been referred to a hearing or meeting to review an order or to make an interim order, the regulator may make an appointment under rule 33 (a) or (b) where the regulator considers it necessary in the interests of fairness to do so.

Rule 34 deleted.



Rule deleted as a result of PSA, JUCSWEC, BASW and UNISON feedback. See 'presence of legally qualified person at interim order review hearings' section in **annex 1** of the associated paper.

Rule at point of consultation

Post consultation

Rationale

35.(a) Where a case is to be considered under these Rules by the adjudicators or the case examiners, the regulator must appoint at least one lay person.

(b) Where a case is to be considered by the regulator under these Rules, the person or persons appointed to determine the case must include at least one lay person.

(c) The chair of any hearing or meeting must be a lay person.

Now rule 34.



Amended. Change to rule number due to deletion of rule 34 - no material change.

36.(a) For the purpose of this rule, previous history is an adverse decision relevant to the social worker by the regulator, its predecessors, or a body included in regulation 7.

(b) At any time that a case is being considered under these Rules, the regulator, investigators or case examiners may take into account a social worker's previous history, provided that the regulator, investigators or case examiners, as the case may be, are satisfied that it is fair and reasonable to do so.

35. (a) For the purpose of this rule, previous history is an adverse decision relevant to the registered social worker by the regulator, its predecessors, or a body included in regulation 7.

(b) At any time that a case is being considered under these rules, the regulator, investigators or case examiners may take into account a registered social worker's previous history provided that the regulator, investigators or case examiners, as the case may be, are satisfied that it is fair and reasonable to do so.



Amended. Change to rule number and rule references due to deletion of rule 34 - no material change.

Rule at point of consultation

Post consultation

Rationale

(c) (i) Subject to rule 36(c)(ii), the adjudicators may not receive information about previous history before they have determined any disputed facts;

(ii) On application by a party to the proceedings, the adjudicators may receive and take into account previous history in determining disputed facts, provided they are satisfied that it is fair and reasonable to do so.

(c) (i) Subject to rule 35(c) (ii), the adjudicators may not receive information about previous history before they have determined any disputed facts;

(ii) On application by a party to the proceedings, the adjudicators may receive and take into account previous history in determining disputed facts, provided they are satisfied that it is fair and reasonable to do so.



Amended. Change to rule number and rule references due to deletion of rule 34 - no material change.

37. At any stage where the regulator is considering a concern of adverse physical or mental health, the investigators or adjudicators may request the social worker to undergo a medical assessment of their fitness to practise by a registered medical practitioner nominated by the regulator.

36. At any stage where the regulator is considering a concern of adverse physical or mental health, the investigators or adjudicators may request the registered social worker to undergo a medical assessment of their fitness to practise by a registered medical practitioner nominated by the regulator.



Amended. Change to rule number only due to deletion of rule 34 - no material change.

38. Subject to rule 39, a hearing under these Rules shall be held in public.

37. Subject to rule 38, a hearing under these rules shall be held in public.



Amended. Change to rule number due to deletion of rule 34 - no material change.

Rule at point of consultation

Post consultation

Rationale

39.(a) A hearing, or part of a hearing, shall be held in private where the proceedings are considering:

(i) whether to make or review an interim order; or

(ii) the physical or mental health of the social worker.

(b) The regulator or adjudicators as the case may be may determine to hold part or all of the proceedings in private where they consider that to do so would be appropriate having regard to:

(i) the vulnerability, interests or welfare of any participant in the proceedings; or

(ii) the public interest including in the effective pursuit of the regulator's overarching objective.

(c) The regulator or adjudicators as the case may be may deliberate in camera, in the absence of the parties and of the public, at any time.

38. (a) A hearing, or part of a hearing, shall be held in private where the proceedings are considering:

(i) whether to make or review an interim order; or

(ii) the physical or mental health of the social worker.

(b) The regulator or adjudicators as the case may be may determine to hold part or all of the proceedings in private where they consider that to do so would be appropriate having regard to:

(i) the vulnerability, interests or welfare of any participant in the proceedings; or

(ii) the public interest including in the effective pursuit of the regulator's over-arching objective.

(c) The regulator or adjudicators, as the case may be, may deliberate in camera, in the absence of the parties and of the public, at any time.



Amended. Change to rule number due to deletion of rule 34 - no material change.

Rule at point of consultation

Post consultation

Rationale

(d) The regulator or adjudicators may exclude from any hearing any person whose conduct in their opinion is likely to disrupt the orderly conduct of the proceedings.

(d) The regulator or adjudicators may exclude from any hearing, any person whose presence and/or conduct in their opinion is likely to disrupt the orderly conduct of the proceedings.



Amended. Change to rule number due to deletion of rule 34 - no material change.

40.(a) The regulator must make arrangements to record oral submissions or witness evidence given in person under these Rules.

(b) (i) The regulator may access a transcript of any recording of proceedings, including for the purposes of audit and training and must supply a transcript of any recording on request of the Authority;

(ii) Subject to rule 40(c), the regulator must supply a transcript of any recording of proceedings to:

(aa) any party to the proceedings; or

(bb) a complainant where the proceedings were instigated following a complaint, at which the party or complainant (as the case may be) was entitled to be present.

39. (a) The regulator must make arrangements to record by whatever means deemed most suitable oral submissions and witness evidence given in person under these Rules.

(b) The regulator may access a transcript of any recording of proceedings, including for the purposes of audit and training and must supply a transcript of any recording on request of the Authority.

(c) Subject to rule 39(d), the regulator must supply a transcript of any recording of proceedings on request to:

(i) any party to the proceedings; or



Amended. Change to rule number and referencing due to deletion of rule 34 - no material change.

Rule at point of consultation

Post consultation

Rationale

(c) A complainant is not entitled to the transcript of any proceedings conducted in private under the provisions of rule 39(a)(ii) in relation to the social worker's health.

(ii) a complainant where the proceedings were instigated following a complaint, at which the party or complainant (as the case may be) was entitled to be present.

(d) A complainant is not entitled to the transcript of any proceedings conducted in private under the provisions of rule 38(a)(ii) in relation to the registered social worker's health.



Amended. Change to rule number and referencing due to deletion of rule 34 - no material change.

41. At a hearing the social worker may be represented by:

(a) a solicitor or counsel;

(b) a representative from any professional organisation of which the social worker is a member; or

(c) at the discretion of the regulator or adjudicators conducting the hearing as the case may be, a member of the social worker's family or another suitable person.

40. At a hearing the registered social worker may be represented by:

(a) a solicitor or counsel;

(b) a representative from any professional organisation of which the registered social worker is a member; or

(c) at the discretion of the regulator or adjudicators conducting the hearing, as the case may be, a member of the registered social worker's family or other suitable person.



Amended. Change to rule number due to deletion of rule 34 - no material change.

Rule at point of consultation

Post consultation

Rationale

42. A person who gives evidence at a hearing is not entitled to represent or accompany the social worker at that hearing.

41. A person who gives evidence at a hearing is not entitled to represent or accompany the registered social worker at that hearing.



Amended. Change to rule number due to deletion of rule 34 - no material change.

43.(a) Where the allegation against the social worker is based on facts which are sexual in nature and:

(i) a witness is the alleged victim; and

(ii) the social worker is acting in person,

the social worker shall not without the written consent of the witness be allowed to cross-examine the witness in person.

(b) In the circumstances set out in rule 43(a), in the absence of written consent, the social worker shall not less than 7 days before the hearing appoint a legally qualified person to cross-examine the witness on his behalf and, in default, the adjudicators shall appoint such person on behalf of the social worker.

42. (a) Where the allegation against the registered social worker is based on facts which are sexual in nature and:

(i) a witness is the alleged victim; and

(ii) the registered social worker is acting in person,

the registered social worker shall not without the written consent of the witness be allowed to cross-examine the witness in person.

(b) In the circumstances set out in rule 42(a), in the absence of written consent, the registered social worker shall not less than 7 days before the hearing appoint a legally qualified person to cross-examine the witness on the registered social worker's behalf and, in default, the adjudicators shall appoint such person on behalf of the registered social worker.



Amended. Change to rule number and referencing only due to deletion of rule 34 - no material change.

Rule at point of consultation	Post consultation	Rationale
44. Where the social worker does not attend a hearing and is not represented, the regulator or adjudicators, as the case may be, may proceed to determine the matter, including in circumstances where the social worker has previously indicated they wished to attend, if they are satisfied that notice of the hearing has been served in accordance with these rules.	43. Where the registered social worker does not attend a hearing and is not represented, the regulator or adjudicators, as the case may be, may proceed to determine the matter, including in circumstances where the registered social worker has previously indicated they wished to attend, if they are satisfied that notice of the hearing has been served or all reasonable efforts have been made to serve the registered social worker with notice of the hearing in accordance with these rules.	→ Amended. Change to rule number only due to deletion of rule 34 - no material change.

Rule at point of consultation

Post consultation

Rationale

45.(a) A notice or communication to the social worker under these Rules must be:

(i) Placed on the Social Work England online account where the social worker has agreed to accept notices or communications from the regulator via the Social Work England online account; or

(ii) Sent by next day delivery service or ordinary post to an address provided by the social worker to the regulator.

44. (a) A notice or communication to the registered social worker under these Rules must be served:

(i) by being placed on the Social Work England online account where the registered social worker has agreed to accept notices or communications from the regulator via the Social Work England online account;

(ii) by being sent by next day delivery service or ordinary first class post to an address provided by the registered social worker to the regulator; or



Amended. Change to rule number only due to deletion of rule 34 - no material change.

Rule at point of consultation

Post consultation

Rationale

(b) Service of any notice or communication may be proved by:

(i) (a) A signed statement from a person causing the notice or communication to be placed on the Social Work England online account; and

(b) A certified copy of a message sent by electronic mail to the social worker informing the social worker of the placement of the notice or communication on the Social Work England online account.

(ii) a confirmation of posting issued by or on behalf of the Post Office, or other postal operator or delivery service; or

(iii) a signed statement from the person sending by ordinary post or delivering the notice or document in accordance with this rule.

(iii) by being sent by next day delivery service or ordinary first class post to the address of a solicitor, professional body, or trade union nominated by the registered social worker to accept service on their behalf.

(b) Service of any notice or communication may be proved by:

(i) (a) a signed statement from a person causing the notice or communication to be placed on the Social Work England online account; and

(b) a certified copy of a message sent by electronic mail to the registered social worker informing the registered social worker of the placement of the notice or communication on the Social Work England online account;

(ii) a confirmation of posting issued by or on behalf of the Post Office, or other postal operator or delivery service; or

(iii) a signed statement from the person sending by ordinary post or delivering the notice or document in accordance with this rule.



Amended. Change to rule number only due to deletion of rule 34 - no material change.

Rule at point of consultation

Post consultation

Rationale

46. Where any notice or communication is sent or otherwise served under these Rules, it must be treated as having been served:

(a) where the notice or communication is placed on the Social Work England online account, on the day an electronic message is sent to the social worker informing them of the placement of the notice or communication on the Social Work England online account;

(b) where the notice or communication has been left at an address, on the day it was left;

(c) where the notice or communication has been sent by next day delivery service, the day after the date it was sent; or

(d) where the notice or communication has been sent by ordinary post, two days after it was sent.

45. Where any notice or communication is served in accordance with these Rules, it must be treated as having been served:

(a) where the notice or communication is placed on the Social Work England online account, on the day an electronic message is sent to the registered social worker informing them of the placement of the notice or communication on the Social Work England online account;

(b) where the notice or communication has been left at an address, on the day it was left;

(c) where the notice or communication has been sent by next day delivery service, the day after the date it was sent; or

(d) where the notice or communication has been sent by first class ordinary post, two days after it was sent.



Amended. Change to rule number only due to deletion of rule 34 - no material change.

Rule at point of consultation

Post consultation

Rationale

47. (a) The social worker may, in writing, nominate a solicitor, professional body, or trade union to accept service on their behalf of any notice or communication sent under these Rules.

(b) Where the social worker makes a nomination under rule 47(a), service may be proved by delivery to the nominee under the provisions of rule 46.

46. (a) The registered social worker may, in writing, nominate a solicitor, professional body, or trade union to accept service on their behalf of any notice or communication sent under these Rules.

(b) Where the registered social worker makes a nomination under rule 46(a), service may be proved by delivery to the nominee under the provisions of rule 46.



Amended. Change to rule number and referencing only due to deletion of rule 34 - no material change.

48. (a) Where an investigator, case examiner or adjudicator becomes ineligible under the provisions of the Social Work England (Investigators, Case Examiners, Adjudicators and Inspectors) Rules 2019, or if they are suspended or removed from office under the Social Work England (Appointment and Functions of Advisers and Constitution of Panel of Advisers) Rules 2019, the regulator may replace them with another investigator, case examiner or adjudicator as the case may be.

47. (a) Where an investigator, case examiner or adjudicator becomes ineligible under the provisions of the Social Work England (Investigators, Case Examiners, Adjudicators and Inspectors) Rules 2019, or if they are suspended or removed from office under the Social Work England (Appointment and Functions of Advisers and Constitution of Panel of Advisers) Rules 2019, the regulator may replace them with another investigator, case examiner or adjudicator as the case may be.



Amended. Change to rule number and referencing only due to deletion of rule 34 - no material change.

Rule at point of consultation

Post consultation

Rationale

(b) Where the regulator makes a replacement under rule 48(a), a registrant must be replaced with a registrant and a lay person must be replaced by a lay person.

(b) Where the regulator makes a replacement under rule 47(a), a registrant must be replaced with a registrant and a lay person must be replaced by a lay person.



Amended. Change to rule number and referencing only due to deletion of rule 34 - no material change.

49. Where case examiners or adjudicators make a direction to give advice or a warning to a social worker under the provisions of paragraphs 9(3), 12(3) or 13(1)(d) of schedule 2, they must specify a period of 1, 3 or 5 years for which the warning or advice must remain on the register in accordance with the provisions of regulation 9(5)(b).

48. Where case examiners or adjudicators make a direction to give advice or a warning to a registered social worker under the provisions of paragraphs 9(3), 12(3)(a) or 13(1)(d) of Schedule 2, they must specify a period of 1, 3 or 5 years for which the warning or advice must remain on the register in accordance with the provisions of regulation 9(5)(b).



Amended. Change to rule number only due to deletion of rule 34 - no material change.

Rule at point of consultation

Post consultation

Rationale

50. Subject to rule 51 after the expiry of an interim order, conditions of practice order or suspension order, or after restoration following a removal order, the longer period for which information must remain on the register is:

(a) in the case of a social worker who was subject to a removal order and is subsequently restored to the register, for as long as the social worker is registered;

(b) in the case of a suspension order or a conditions of practice order, for 5 years from the point at which the suspension or conditions of practice order ends;

(c) in the case of a finding of impairment with no sanction, for 1 year from the date of determination of impairment.

49. Subject to rule 50 after the expiry of an interim order, conditions of practice order or suspension order, or after restoration following a removal order, the longer period for which information must remain on the register is:

(a) in the case of a registered social worker who was subject to a removal order and is subsequently restored to the register, for as long as the registered social worker is registered;

(b) in the case of a suspension order or a conditions of practice order, for 5 years from the point at which the suspension or conditions of practice order ends;

(c) in the case of a finding of impairment with no sanction, for 1 year from the date of finding of impairment.



Amended. Change to rule number and referencing only due to deletion of rule 34 - no material change.

Rule at point of consultation

Post consultation

Rationale

51.(a) Where an interim order has been imposed and the fitness to practise proceedings are concluded without a finding of impairment; or

(b) where a final order is made in relation to a finding of adverse physical or mental health; the regulator must remove the information about the order from the register when the order ceases to be in force.

50. Where an interim order has been imposed and the fitness to practise proceedings are concluded without a finding of impairment or where a final order is made in relation to a finding of adverse physical or mental health, the regulator must remove the information about the order from the register when the order ceases to be in force.



Amended. Change to rule number only due to deletion of rule 34 - no material change.

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