



Social Work in England: First Reflections

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Foreword

"As a former social worker, I believe that supporting and sustaining good social workers requires a strong, confident, and effective regulator. I, along with board members, am determined that Social Work England will make a unique and lasting contribution to the profession of social work.

"By any measure, 2020 was an extraordinary year. Among the key themes of this report, the outbreak of the COVID-19 pandemic has fundamentally impacted on how we interact as individuals, how we connect as a society, and how we stay safe. The Black Lives Matter movement gave new power to protests around the world for racial justice and meaningful equality. The social work profession, with its values and principles of anti-racist and anti-oppressive practice, is uniquely placed to lead the way in ensuring equality in all aspects of society.

"This report enables us to share our learning with everyone with an interest in social work, including those with lived and learned experience of social work, and to work collaboratively with the profession to not only drive-up standards, but ensure they are evidence-based, rooted in real experience and values, and are fit for the 21st century."



Lord Patel of Bradford OBE
Chair, Social Work England

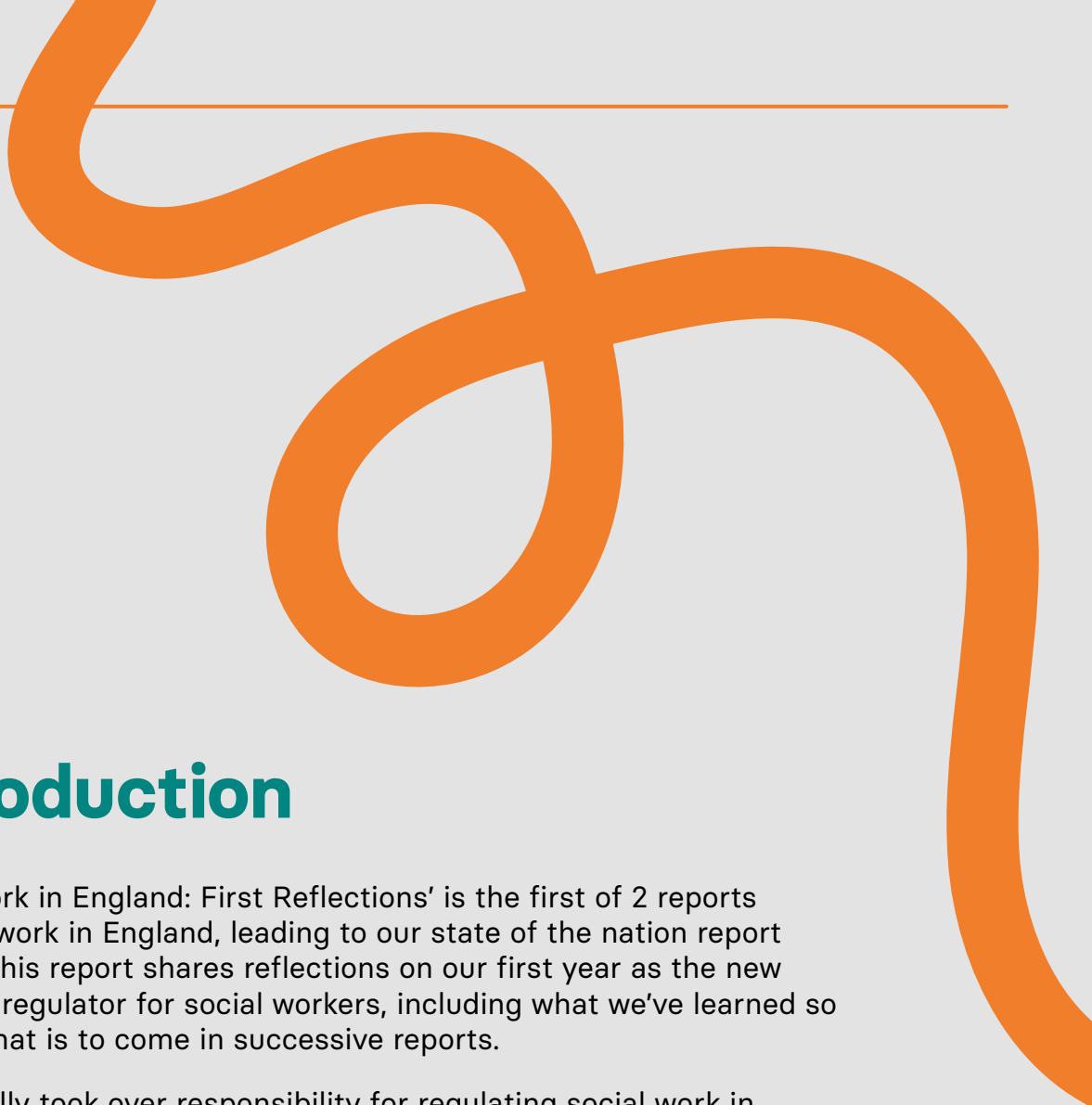
"Social workers work at the heart of communities to support millions of people to improve their chances in life. They work in a vast range of settings in advisory, educational, and direct support roles. Social Work England has the responsibility of regulating the single profession of social work, making what we do specialist and giving us a unique view across the profession in England.

"For us, 2020 was always going to be an important year. We became the new specialist regulator on 2 December 2019 and in addition to our year of 'firsts' we, like many, have had to respond to the many challenges and pressures of a global crisis, whilst pursuing our primary aim of public protection and maintaining our commitments, ambitions and values.

"Part of living by our values is sharing with the public and profession what we've learned from our work, no matter how unanticipated the events of 2020. I'm pleased to share this first reflections report with you and look forward to sharing future reports about social work, its important role in society and our specialist role in its regulation in England."



Colum Conway
Chief Executive, Social Work England



Introduction

‘Social Work in England: First Reflections’ is the first of 2 reports on social work in England, leading to our state of the nation report in 2023. This report shares reflections on our first year as the new specialist regulator for social workers, including what we’ve learned so far and what is to come in successive reports.

We officially took over responsibility for regulating social work in England on 2 December 2019, using the powers given to us in our regulations¹. Since then, we have inspected our first education and training courses, welcomed new and qualified social workers to the register, and used our new powers to investigate concerns and bring cases to a close. All of this alongside a steadfast commitment to ensuring we meet our overarching objective to protect the public.

We will publish a state of the nation style report into social work in 2023, but we have also committed to sharing our reflections in 2 interim reports along the way. The events of 2020 made this commitment and the reflections in this, our first interim report, all the more important.

¹ The Social Workers Regulations 2018

Learning to be a social worker



Learning to be a social worker

As the regulator, we approve, monitor and reapprove courses of qualifying education and training for social workers in England². This is to ensure that students who successfully complete a social work course can meet our professional standards and can apply to register with us.

We're ambitious in our intent to improve outcomes for students of social work courses so they are well prepared, equipped to begin their career and feel confident as they move into work. That ambition is focused on implementing our education and training standards and our statutory duty to inspect, approve, and reapprove courses against them.

In our first year, we began inspecting social work courses in England and in September 2021, we'll be introducing new education and training standards. These standards introduce new requirements around student support, course entry, the provision of placements, and the meaningful inclusion of people with lived experience.

In this section, we share what we've learned from our first year inspecting courses and from speaking to course providers, employers and students.

² <https://www.legislation.gov.uk/ukdsi/2018/9780111170090/part/4>

Social work courses in England

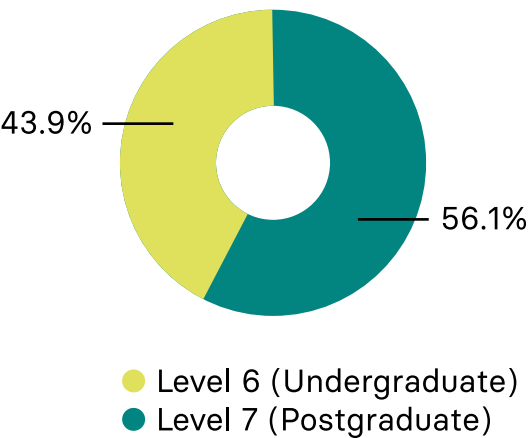
All social workers who qualified in England are required to complete a level 6 or 7 degree in social work to be eligible to register with us. There are multiple qualifying routes, including ‘fast track’ programmes, apprenticeships, and undergraduate and postgraduate degrees, as well as other routes to joining the register for people who qualified outside of England.

We currently oversee

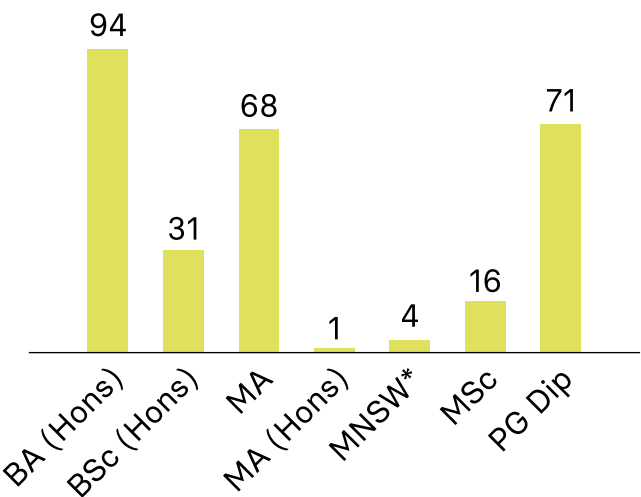
83

course providers across England, with more than half of courses delivered at postgraduate level.

Graph 1: Regulated social work courses in England by level of study



Graph 2: Social work courses by award



*Mental Health Nursing and Social Work

Inspections

Our approach to the approval of courses is relationship-based. This means we offer a direct line of communication with course providers throughout the year so they may raise queries, test ideas and troubleshoot in relation to the delivery of courses. This not only supports providers in understanding and meeting our requirements, but also provides us with a unique insight into social work courses and student experiences.

We began inspections in early 2020. An inspection is one of the ways that we collect evidence about how a course meets our education and training standards. We carry out an inspection to approve a new course or to reapprove an existing course. If necessary, we may also carry out an inspection as part of our course change or annual monitoring processes, or if a concern about a course is raised to us.

An inspection typically involves an onsite visit from our inspection team across 3 days, during which they will undertake a schedule of meetings and activities. The activities include discussions with people involved in the course, including staff, training placement providers, people with lived experience of social work, and students. The inspection group will also observe and ask questions about teaching, placements, facilities and learning resources against evidence previously submitted by the providers. This allows our inspectors to determine whether a course meets our education and training standards, and whether students who complete the course will be able to meet our professional standards.

As of 3 November 2020, we have undertaken 9 inspections:

- 7 were requests by the provider for approval
- 1 was a requested change to a course
- 1 was the result of a concern

From our inspection activity:

- 1 course has been approved
- 5 courses have been approved with conditions
- 1 course has been withdrawn
- 1 course was not approved
- 1 inspection is still in progress



Inspections and COVID-19

We adapted our inspections in response to the outbreak of COVID-19. We conducted 6 of our inspections remotely, taking place almost uniquely online. This has presented its challenges, such as relying on technology, but it has also yielded unanticipated benefits. We've been able to speak with more students who are either studying or working online, and have been able to more easily record the insights from our inspection work.



Engaging with educators and students

To support our work to oversee social work courses, we launched the education and training advisory forum in January 2020. This group is made up of key stakeholders from across the social work education landscape who work to provide expert support, advice, challenge, and input into the strategic development of our work on education and training. Throughout 2020, the forum met regularly to advise and collaborate on key challenges for providers during the pandemic, and to help shape our guidance.

We have also appointed 2 professional associates as subject matter experts who, alongside this group, are working to develop professional learning outcomes that will underpin our education and training standards.

Student perceptions

Early in our journey, we made a commitment to engage with social work students about our assurance of their education and training courses. We regularly speak with students and student groups and have invited students onto our education and training advisory forum. This informs our work with providers and supports quality conversations about social work courses, the education and training of social workers in England and social work in the context of reform in higher education.

We included work with students in our first commissioned research projects and our research partner, YouGov, spoke with 58 students in early 2020. Through that research, most surveyed students reported wanting to become a social worker to help vulnerable people and to make a difference. Over three quarters (81%) described wanting a career that makes a difference to people's lives. Over half (54%) chose social work because they believe it to be a rewarding career.

Every student surveyed who was planning to become a social worker said that they felt prepared for working with children and vulnerable adults: 98% said that they felt prepared for understanding and applying the law, engaging with people, families and communities, and working with partner organisations. Almost all (95%) felt prepared for making difficult decisions in their social work careers. However, a lower number (67%) of social work students reported feeling satisfied with their course.

Students also demonstrated a strong understanding of our role as the regulator (81%) and generally agree that having 'their own' specialist regulator is positive, and that they hope they will be heard and better understood as part of the profession.

Case study: engaging with students

In October 2020, our regional engagement lead for the Midlands was invited to take part in the induction of 65 social work students from Keele University's undergraduate and postgraduate programmes.

As part of the students' remote induction, the online session provided the students with information about social work regulation, the professional standards, the education and training standards, and how to register with us once they qualified.

The students were asked to think about how they could work towards meeting the professional standards by the time they were ready to apply to join the register. They reflected on approaches to social work practice and the professional standards, and considered how they might apply this reflection to their work.

The students generated excellent ideas, including how they could meet the standards by maintaining confidentiality, being honest and reflecting on how behaviours can impact the people they support.

Equality, inclusion, and the student experience

As the global Black Lives Matter movement gained momentum through 2020, social workers across the country reflected on the matters of social equality and inclusion that are fundamental to their practice. Social work students, similarly, began sharing their experiences of education, placements, and training to be a social worker.

We listened carefully to students about their views on the inclusivity of courses, the support for students who experience inequality, discrimination and oppression, and their expectations for the future. Some students raised concerns about the robustness of anti-discriminatory practice training in their qualifying courses. We will review this through our work with providers and as we refine our approach to education and training courses, will include concerns over course makeup and delivery into our plans.

In our immediate work, we've asked for more detailed information about the makeup of student cohorts from course providers, we've sought advice on how we might support more inclusive learning experiences for students, and have developed new research projects that will engage with students about issues relating to equality and inclusivity. We have also invited student groups to speak with our education advisory forum and made connections between groups and individuals.



Adapting to COVID-19

The outbreak of the COVID-19 pandemic in early 2020 required rapid adaptations to social work courses. We worked with providers to ensure that programmes were able to continue to meet our standards, while ensuring the safety of students and the public as social restrictions came into place. Sustaining placements for students was a particular challenge.

We encouraged providers to develop local solutions for maintaining courses and placements, using their relationships with placement providers and in conversation with students. We also created a space on our website to share details of adjustments that education providers have made as a result of COVID-19.

To retain the flexibility providers needed to adapt their courses, we delayed the introduction of our new education and training standards by an academic year. This meant that providers could continue working with our existing standards, which allowed for changes to teaching and placements while supporting students to qualify, register and join the workforce at a critical time.



We also carried out a survey alongside the Joint University Council Social Work Education Committee (JUCSWEC) and Skills for Care to understand the most pressing concerns to course providers. The survey findings showed that most students were able to graduate in the summer 2020, but that the impact of the pandemic would be most evident in the provision of practice placements. These placements enable students to undertake the full experiential opportunities that help students prepare for qualification and for working with the public.

Case study: student social worker

"Studying to be a social worker during COVID-19 has been challenging and I hadn't anticipated training for my new career in this way!

My first placement was virtual and homebased during the first lockdown. The biggest challenge was having young children at home whilst also being on placement, as well as taking part in online lectures, group work and completing assignments. My university and local authority were incredibly supportive and somehow, I met all my deadlines. It was a worrying time though, no-one knew what restrictions lay ahead and how this would impact on our learning and practice experience.

Through regular contact with my practice educator, I learnt it wasn't easy for social workers either, even the most experienced. When you have a difficult phone call and it's the end of the day, you are still sat in your home. Supportive colleagues are at the end of the phone but it isn't the same as the office environment where a colleague spots you having a wobble and intervenes, bringing you that much needed cup of tea. There is also none of the informal learning you would pick up from sitting in an office with your team.

For my second and final 100-day placement, I am in a children's team and I regularly visit children and families in their homes. I have had opportunities to shadow social workers and am now co-working some of the cases. Wearing a mask for visits has been an added challenge to building relationships with the young people and families. I really value the experience I am gaining but do worry about the impact on completing my course if myself or family get unwell. The realities of frontline practice are that even wearing PPE, you are putting yourself at risk of COVID-19.

Encouraging friends and family tell me 'not everyone gets to train during a worldwide health pandemic' and I guess they are right. I didn't choose it, but I am learning so much from it and I know that despite the risks, it is already shaping me into the social worker I have always wanted to be."

Social work student

Social workers in England



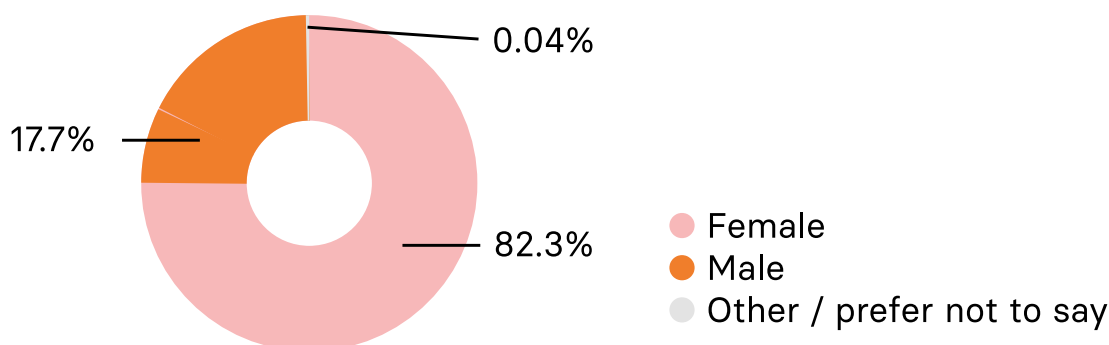
Social workers in England

One of our functions as the regulator for social workers in England, is to hold a register of those qualified and registered to practise as a social worker³. This register is available on our website, and lists those who meet our requirements and are able to use the protected title of 'social worker'.

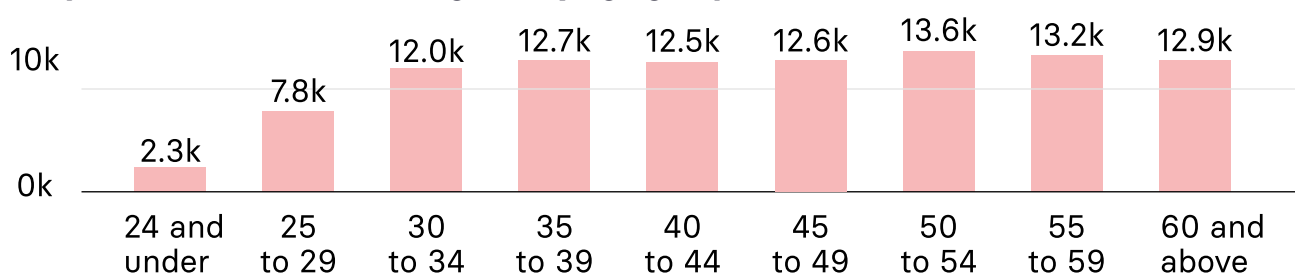
As part of this statutory responsibility, we're able to gather some information about the social work workforce. Whilst we're still establishing what we know about social workers on the register, we can share an early insight into the profession from our first year of regulation.

As at 30 November 2020, the number of registered social workers in England stands at 99,702. Since we began our work as the regulator on 2 December 2019, we've registered 5,001 new social workers. Of all social workers registered with us 82.3% are female, 17.7% are male and 0.04% preferred not to record a gender, or cited their gender as 'other'. We can also report on the register by age groups.

Graph 3: Social workers in England by gender



Graph 4: Social workers in England by age group



³ The Social Workers Regulations 2018, part 3.

We will over time, as part of our wider work to understand the profession, make changes to the data we collect so that we can share more about the social work workforce. As we build ways to report the shape of the register to the public, we will be able to reflect the changes in the demographic profile of the profession, giving the public, profession and policymakers a better understanding of social workers in England. To do this we are speaking with government about the powers we may need to become the authority on social work data in England. We hope to report on this in more detail in our next interim report.



Coronavirus Act 2020: temporary registration

As part of the national response to the COVID-19 pandemic, on 25 March 2020 we were given emergency powers under the Coronavirus Act 2020 to allow former social workers and those currently not actively practising, to return to social work.

Anyone who left the register since 18 March 2018 was automatically returned so that they did not need to apply if they wanted to support their local crisis response efforts. Anyone who had been removed from the register for fitness to practise reasons was not included in automatic registration. On 30 November 2020, 9,658 social workers were on the register with temporary registration.

Social workers working under temporary registration can apply to have their registration fully reinstated, in accordance with our usual process for restoration. Otherwise temporary registrations will close 14 days after the government declares the coronavirus emergency has ended.

Understanding social work

To develop our specialist approach to regulation, we have engaged with as many people with an interest in social work as possible. We've drawn on different means of engaging with people, through our digital presence, our regional engagement activity, and through establishing our National Advisory Forum.

This work has begun to provide us with insight into the profession, including social workers' perceptions of their standing in society, their motivations, and their perspective on the challenges to their work. It has also provided insight into public perceptions of social work in England.



Our regional engagement team were established to reach out to professionals, students, and people with lived experience of social work across the country. They have so far spoken with nearly 22,000 people about social work, either in person or online, often hosting live webinars and drop-in surgeries in their regions⁴. We continue to gather feedback on these engagements to tailor their sessions. They are most frequently asked questions about CPD, our role as the regulator and the complexity of the post-qualifying landscape.

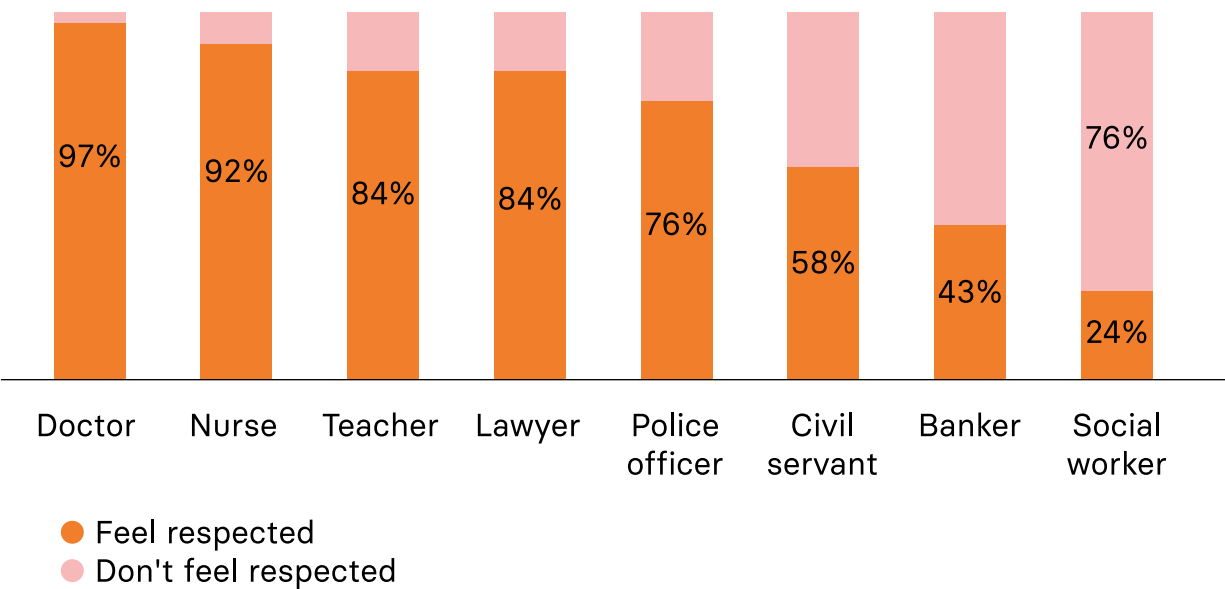
We also asked social workers about their work in our research with YouGov in early 2020. More than 80% of the social workers who participated in the research described being motivated to enter the profession to make a difference to people's lives. The vast majority (89%) were either very proud (48%) or fairly proud (41%) to be doing their job. The majority (79%) of respondents rated the quality of their education and training as either 'good' or 'very good'.

Concerns of high caseloads and burnout were reported throughout the research. A large proportion (85%) of current social workers reported that the job makes them either very stressed or fairly stressed. Interestingly, morale was reported as being substantially higher among men than women: 63% of men say their morale is high compared to 36% of women.

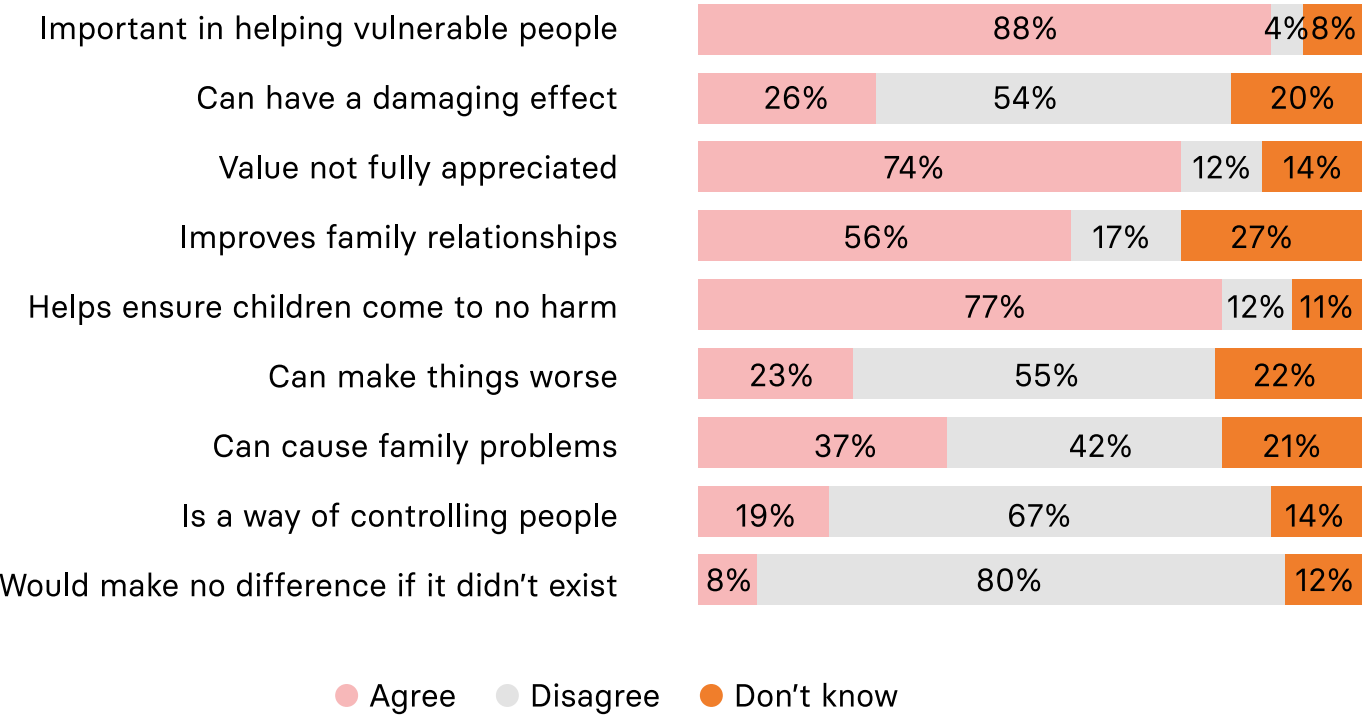
Social workers ranked the public perception of their profession as the lowest when compared to 7 other professions, including bankers, civil servants and the police. This contrasted with research we undertook with Crag Ross Dawson around the public's perceptions of social work. In this research, 88% of public respondents agreed that social work was important for helping vulnerable people. This, alongside our other engagement, suggests that the public are more warmly disposed towards social work than is widely believed, including by social workers.

⁴ As of 31 October 2020

Graph 5: How social workers feel the public respect their profession, by profession



Graph 6: Public views on statements about social work



Engaging with people with experience of social work

National Advisory Forum members, Isaac Samuels and Jillian Brannan

The National Advisory Forum is a collective of individuals with a multitude of lived and learned experience of social work which Social Work England can call upon to help ensure that their work is co-produced. We contribute as critical friends and as people with experience, knowledge, skills and insight gained over many decades.

Co-production is the only way that you can really work if you really want to get it right. It's inclusive, enables power-sharing and challenges the status quo to be flexible and responsive to the needs of both social workers and those who receive social care. Social Work England's approach to co-production values the uniqueness of individuals, builds on knowledge, skills and perspectives, and bridges the gap between regulator, profession and people.

Collectively, we have many years of involvement with social work services. Our role is to bring experience that is both lived and learned to help shape the strategic direction of Social Work England. We believe that ensuring the social work profession and its regulation are fit for purpose results in people living their best possible lives.

We value the opportunity to shape social work as a profession, through working with a regulator who actively demonstrates an open culture of involvement from people with lived and learned experience of social work.

The work of the National Advisory Forum, and Social Work England's commitment to it, has brought some core values to the fore:

- **Challenging:** We say it like it is, continually questioning both the status quo and ourselves, even when that's the hard thing to do.
- **Human:** We value people as people, do everything wholeheartedly and work to make a genuine difference.
- **Inclusive:** We support everyone to be included and participate fully in our co-production community.
- **Transparent:** We share power, make decisions openly and collectively, and are accountable to our co-production community.

The National Advisory Forum is in its infancy, but the reach we've had into Social Work England so far has been significant and continues to happen at pace. It has been refreshing to work with Social Work England because it feels meaningful, non-tokenistic and focused on improving the social work profession. Social Work England's approach has clearly demonstrated that the organisation is open to ideas and challenge.



Isaac Samuels



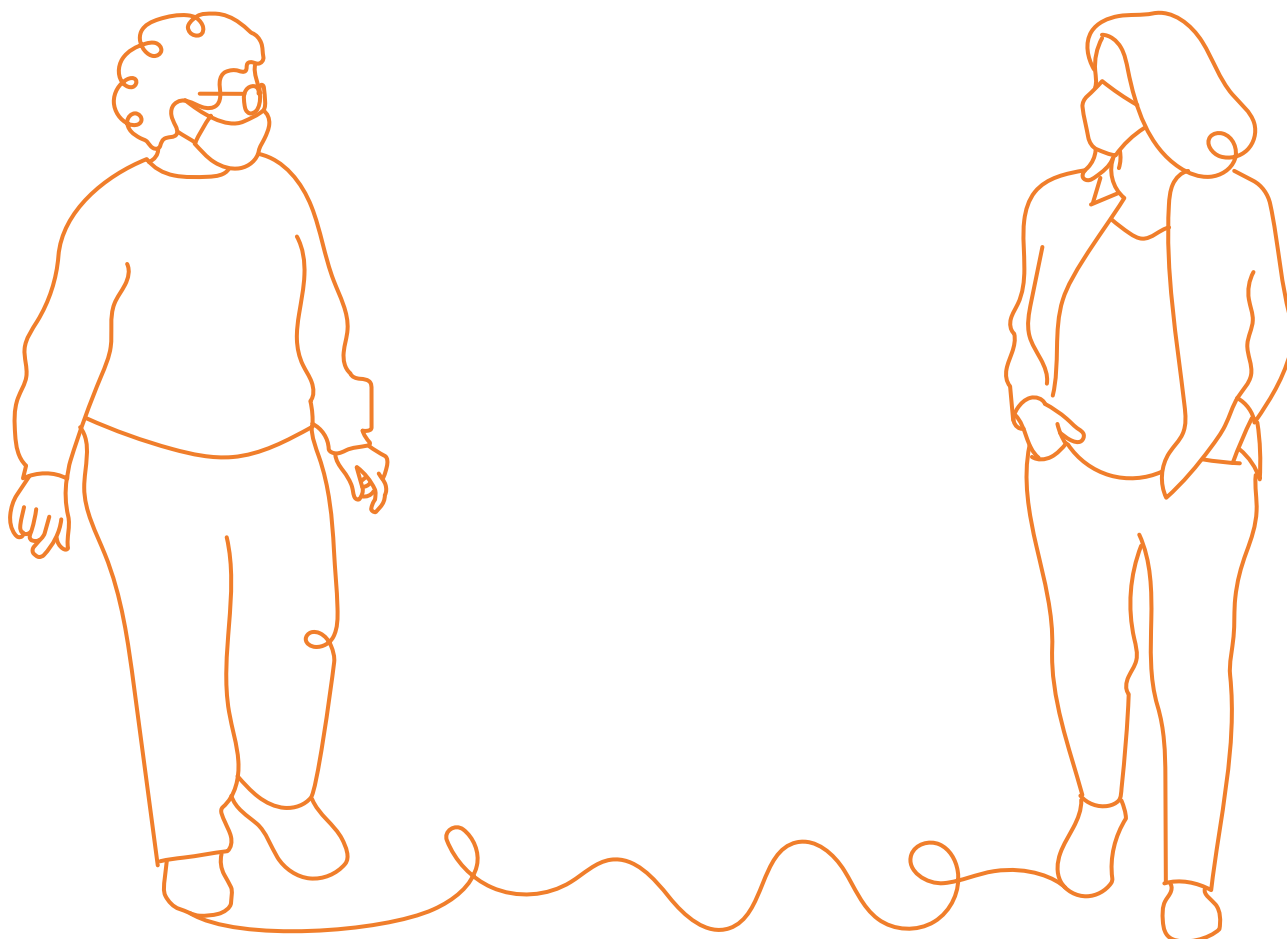
Jillian Brannan

Social work practice in 2020

Adapting to COVID-19

For a profession dedicated to people and relationships, COVID-19 has had a seismic impact on social work. Professionals have considered entirely new ways of working, balancing the importance of keeping the spread of the virus to a minimum, with the very real need to reach out to people and support at-risk children, adults and families.

As social workers adapted their work, we saw incredible resourcefulness and creativity to maintain effective and ethical practice. The volume of guidance material that emerged around these changes, however, created a response environment overwhelmed by advice and direction. We recognised that in providing regulatory advice, it was important, where possible, to come together with sector leaders so that social workers could feel supported in navigating COVID-19 adaptations.



Case study: adapting practice, supporting people

"We are all in our brave new world and today I have had 3 video calls that highlighted a few things. We have some really resilient looked after children and foster carers who are adapting to the changes in their lives due to COVID-19. The video calls were all welcomed and we were able to have some really lovely chats.

I was worried about how well the calls would go down and I have been pleasantly surprised. I think it really is a testament to the hard work of the team since its inception. We have developed some really strong relationships with our children and young people so that they are happy chatting to their social worker, and because we have become such consistent figures in their life, a video call isn't weird or intrusive."

Social worker for children and young people in care

"I recall my motivations for becoming a social worker in the first place – helping people in need by attuning myself to each individual with their own circumstances, attributes and wishes. It's difficult in this pandemic to hold onto the 'social' in 'social work' when you can't visit someone, and to focus on the human being that you are working with when you may not be able to see their face or hear their voice. However, having made some recent recommendations that allowed a client to be supported out of bed and access the garden more often, I feel that I am still doing some good. Even if it is from afar."

Social worker and best interests assessor in a care home



Exploring equality, diversity, and inclusion in social work

The global Black Lives Matter movement sparked a conversation among social workers across the country about their role in tackling oppression, racism and discrimination. It also gave rise to important conversations about social workers' experiences of discrimination in their personal and professional lives.

All social workers on our register are required to uphold our professional standards. Those standards make explicit our expectation for social workers to challenge the impact of disadvantage and discrimination, and to promote social justice. But we recognise that personal experiences can also have an impact on how social workers practise.

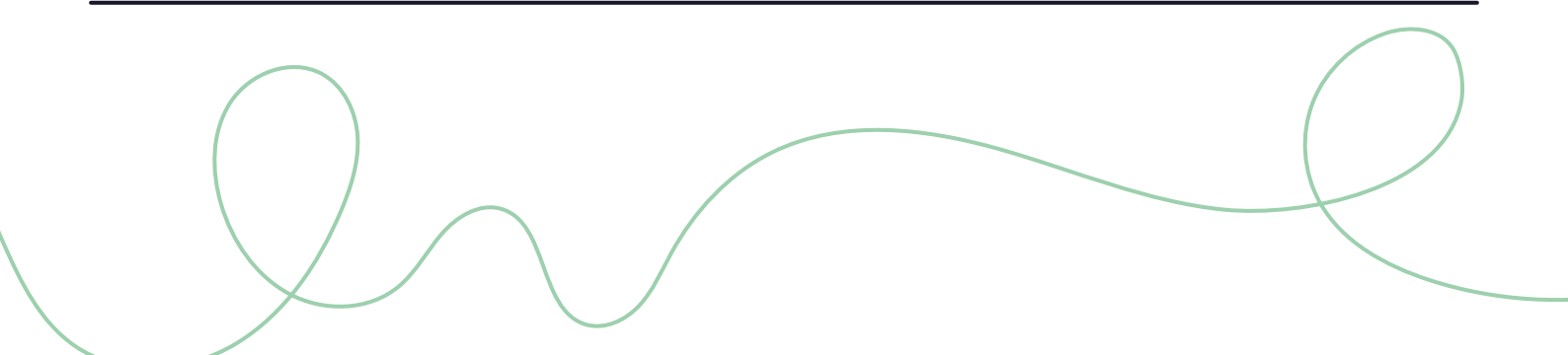
Both societal and health crises resonated with us powerfully when Yixian Brown shared her experience of being a Chinese British social worker during COVID-19 in a blog on our website. Her honest and moving account painted a stark picture of anxiety and concern for herself and her family when reports of hate crimes against Chinese people increased as the virus spread.

We encourage social workers to reflect on these experiences and explore what this means for their work. We're particularly interested to see social workers reflecting on matters of equality and inclusion as they record their CPD with us. We've also included specific questions about how social workers engage with and reflect on matters of equality and social justice in our research into social workers' learning. We're looking forward to seeing the results of that research in early 2021.

As social work continues to discuss its role in challenging the inequalities that people face, we will be involved in and actively seek conversations, talking about the role of the regulator, upholding safe and fair practice for the public, and assessing our own work to promote fairness across our regulatory functions. We'll also use reports such as this to shine a light on matters of equality and inclusion in social work.

Career-long learning





Career-long learning

After social workers qualify and register, they continue learning throughout their career. Social workers may follow any one of several training pathways, but we require all social workers to record their CPD with us when they apply to renew their registration annually⁵. This is part of our role to uphold safe practice in social work and to assure the public of social workers' ongoing competence.

Learning as a social worker is about understanding our professional standards and putting them into practice. It's about keeping up to date with changes in law, considering theories and research, and reflecting on personal beliefs, behaviours and ethics to support people to the best of their ability. This can often take place in a supervision setting where social workers have dedicated time to discuss their work with a peer or senior.

Our new approach has, for the first time, provided an online space for social workers to record their learning with their regulator. It means that we are not only able to streamline the way we oversee social workers' learning, but we can report to the public on the learning of the register on an annual basis. All of this helps us to present a single, up to date and accurate picture of the profession at a national level.

In this section, we share what we've learned from introducing a new model of CPD for social workers in England, what research has told us and what we plan to report in the future.

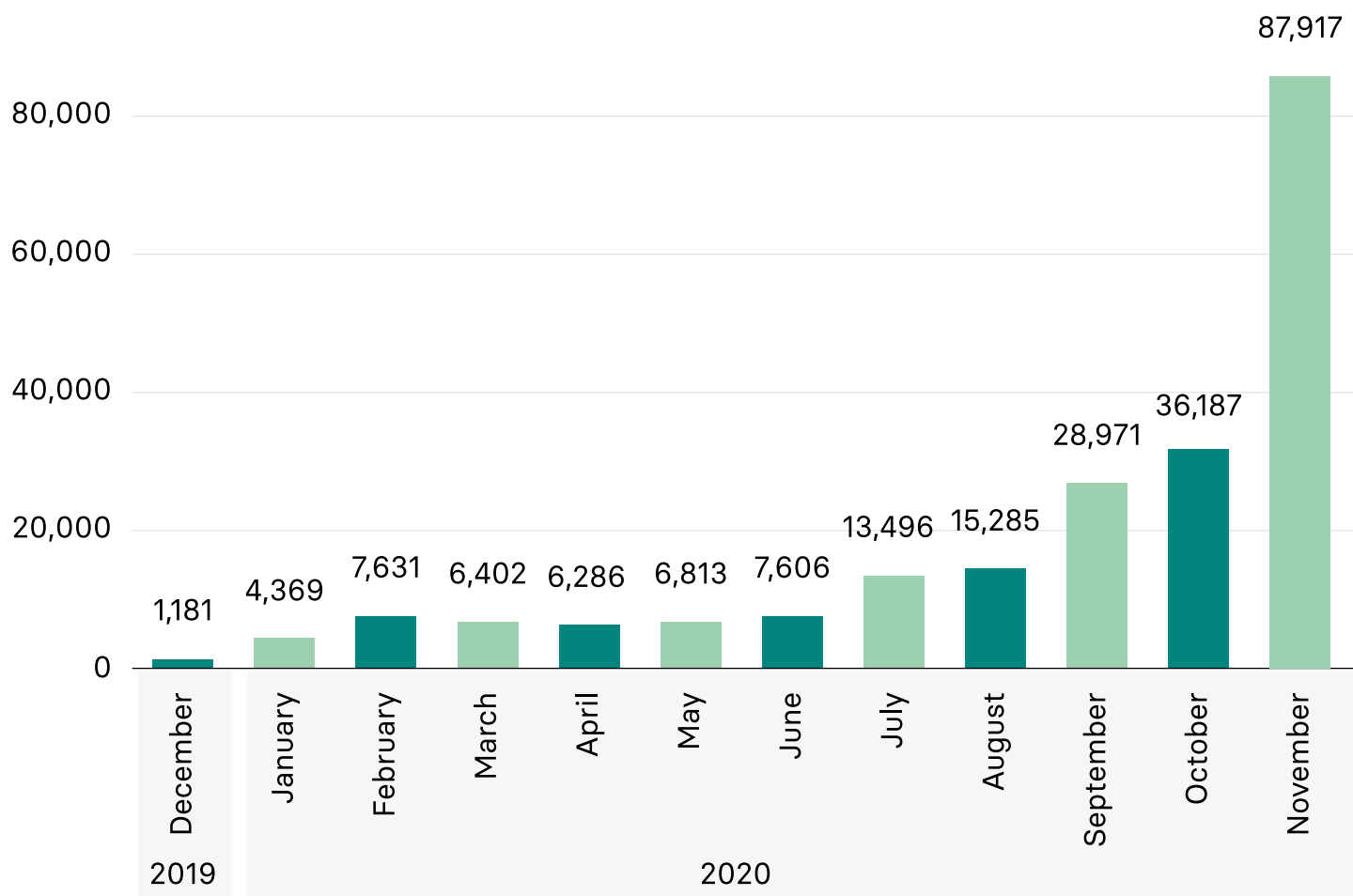
A new way

The approach to CPD we developed in consultation with the public and profession places emphasis on reflection and the impact of a social worker's learning on their practice. Paired with online recording, this approach represented a change for social workers' interaction with their regulator around CPD.

For our first year, we asked social workers to record at least one piece of CPD on their Social Work England online account as part of their application to renew. At the end of November 2020, those on the register had, between them, uploaded 222,144 valid CPD records, an average of 2.2 items per social worker.

⁵ <https://www.legislation.gov.uk/ukdsi/2018/9780111170090/regulation/13>

Graph 7: Number of CPD records by month

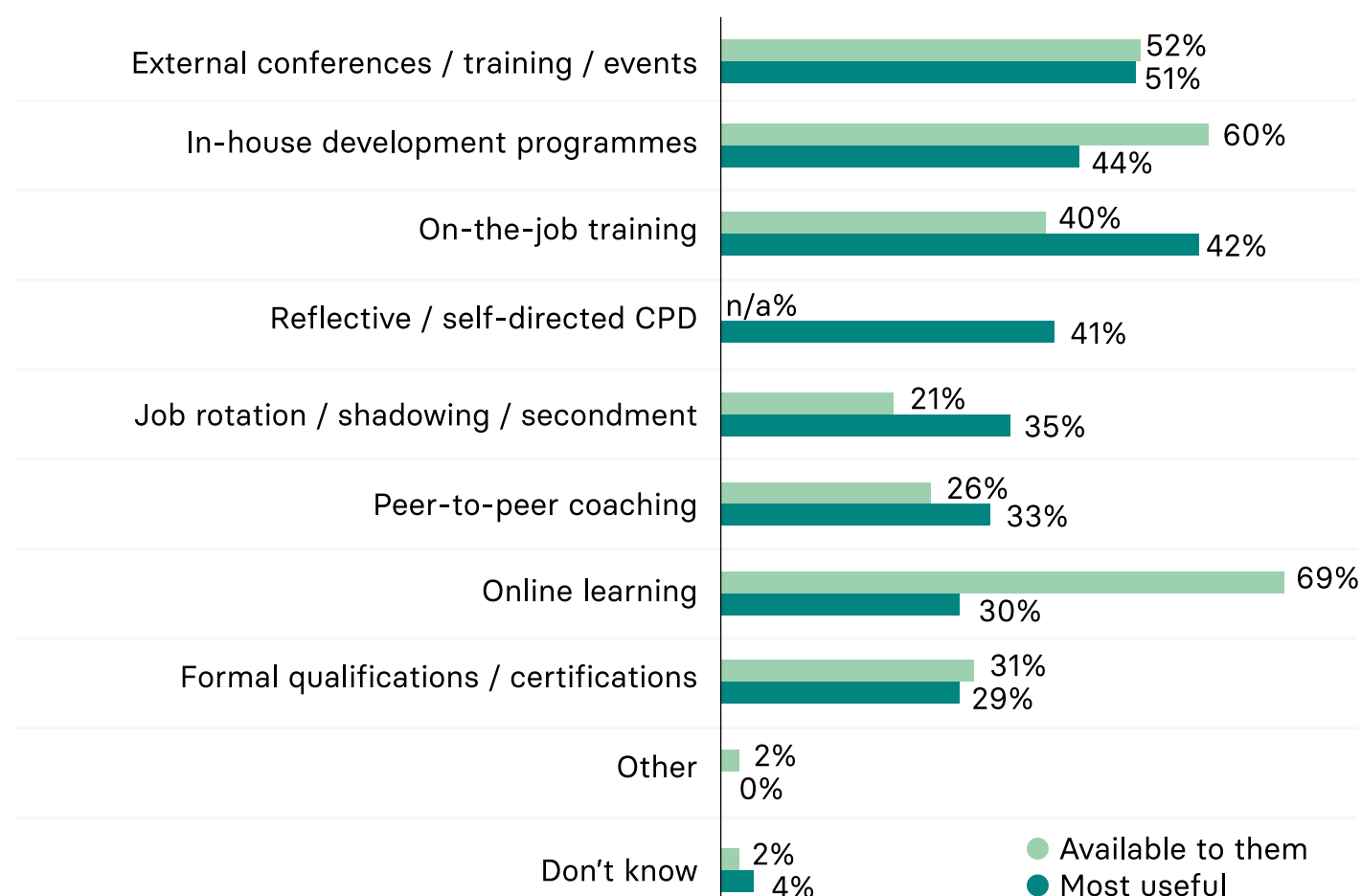


Understanding how social workers learn

Crucial to our commitment to refining our approach to CPD is ongoing engagement, research and data analysis. In December 2019, we commissioned YouGov to speak with social workers about their practice. We asked specifically about social workers' behaviours and attitudes towards their ongoing learning. Based on surveys, focus groups and interviews, we gained real insight.

Learning opportunities do appear to be available to social workers, with 96% of respondents reporting at least 1 form of active CPD available to them in their organisation. There is, however, a disparity between some opportunities available and those that social workers consider the most useful. Job rotations and peer-to-peer coaching are 2 areas where demand outstrips supply. Reflective or self-directed development was also cited as useful by 41% of respondents and can be completed unaccompanied.

Graph 8: Continuing professional development available and most useful, by type



Analysing the results, children and families social workers were the most likely to want support for mental health at work (51%) while adult social workers were the most likely to want help with managing conflict (50%). There is also demand for learning around specific topics, including behavioural disorders.

While there is an appetite for CPD, social workers can find it challenging to undertake the activities – 91% say there are barriers to their learning. Most frequently cited barriers include simply not having enough time during working hours to carry out development activities (70%), or a lack of support for CPD from management or their organisation (20%). The in-depth interviews and focus groups reinforced the point that training is felt to be a luxury for some time-poor social workers.

“I learn most through speaking to practitioners, managers and leaders in the field in which I work. I also spend time reading literature and on social media...I find it interesting to see what other people are thinking.”

Social worker, local authority

We accompanied our research with social workers by asking people with lived experience of social work about what ongoing learning for social work professionals meant to them. The feedback showed that people supported mandating ongoing learning for social workers and saw our role in overseeing that learning as 'positive' and 'a step forward'.

"I think everything Social Work England are monitoring here would filter down to the person that they are helping so the social worker would feel confident and fully up to date with their training to be able to make the right decision, or feel that they are making the right decision and work at a certain level that is being set by Social Work England."

Person with lived experience, 25 to 45

We plan to consult with the public and profession ahead of implementing any changes for social workers recording CPD. In addition to helping us refine our future approach, we hope our initial findings spark national conversations about how social workers learn and the barriers they face in maintaining their required learning.

The social work landscape and our standards

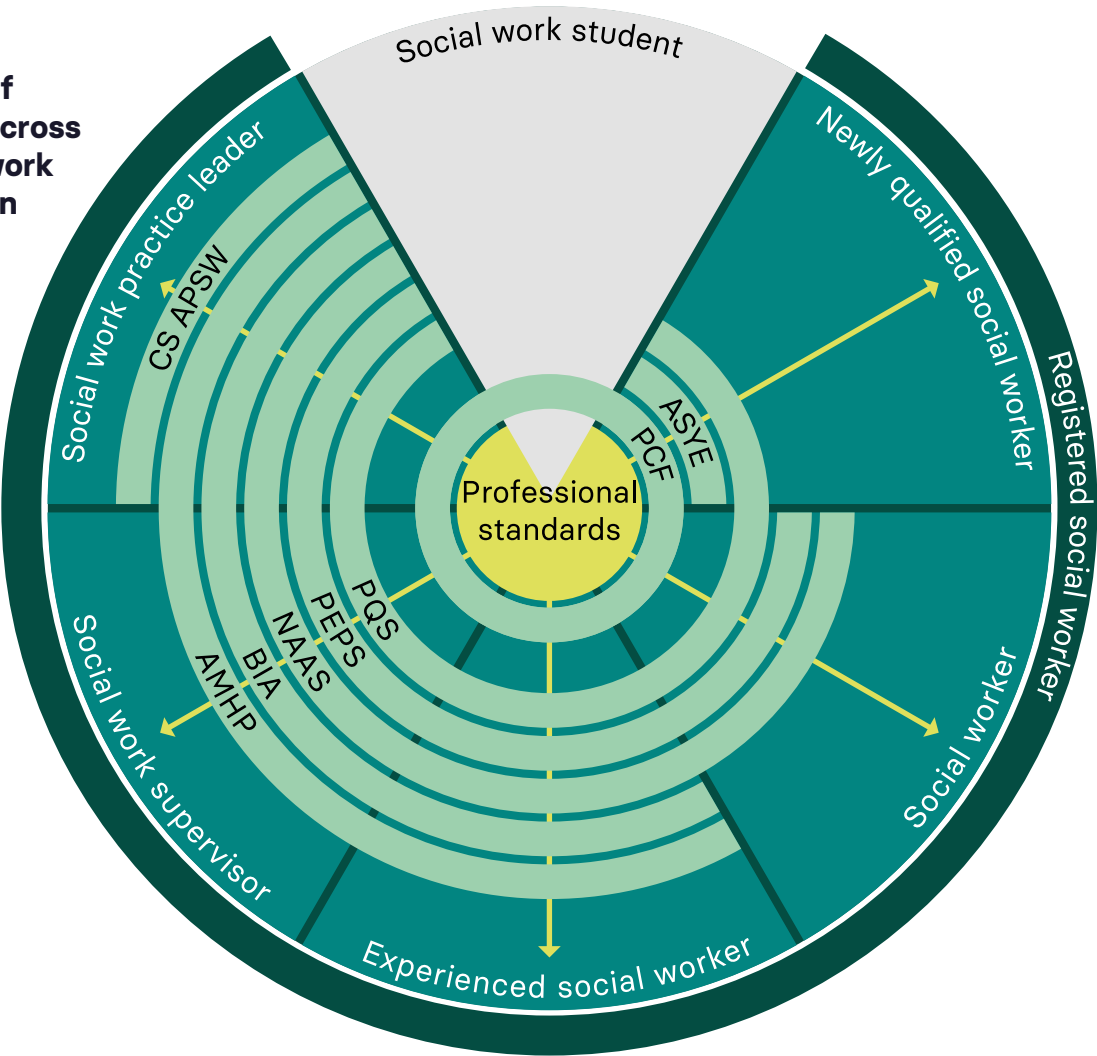
Our professional standards have a specific statutory remit. They enable us as the regulator to hold social workers to safe and effective standards of practice on behalf of the public. Beyond these standards, we know that social workers may work with a combination of frameworks, advice and practice standards.

From conversations with many, we understand that this array of practice guidance can feel overwhelming and the landscape has become crowded. Our work to introduce our role has often required us to set out how the professional standards relate to these other guidance materials. We know that social workers need to understand our standards and their role in order to uphold them. We see this as fundamental to their safe ongoing support to the public.

The graphic below shows the range of standards that social workers may interact with in their careers. We set this out not because we advocate for ever more creative ways of describing a complex system, but because we agree that this landscape has the potential to cause confusion and provides little opportunity for time-poor social workers to understand and meaningfully engage with the advice that best supports them in their practice.

We’re actively holding this mirror up to the sector and working alongside partners and stakeholders to discuss how we can improve this standards landscape in social work. For our part, we take a minimalist approach to practice guidance and will only partner on work where we see a real value for the profession or interest for the public. We’ve also set ourselves ambitious objectives over our first 3 years to simplify this landscape for social workers alongside social workers and sector leaders. We will return to this work in future reports.

The range of standards across the social work profession in England



Key

PCF: Professional capabilities framework

ASYE: Assessed and supported year in employment

PQS: Post-qualifying standards

PEPS: Practice educator professional standards

NAAS: National assessment and accreditation system

BIA: Best interests assessor

AMHP: Approved mental health professional

CS APSW: Capability statement for principal social workers in adult services

Investigating concerns



Investigating concerns

We work on behalf of the public. In that role, we set standards which social workers must meet and continue to meet throughout their career. We also investigate concerns raised to us about social workers who may have fallen below those standards. This is referred to as 'fitness to practise'.

Our aim over the first year was to establish a fair and collaborative means of assessing a social worker's fitness to practise, in line with the rules that govern our work. By keeping in sharp focus our role of public protection, we've pursued an empathic approach that supports those involved in a concern, while ensuring that infringements of our standards are addressed swiftly and decisively.

When we began our work as the regulator, we inherited 1,545 live investigations. Over our first year, we recorded a further 1,982⁶ concerns. We're continuing to build on the data about concerns raised to us, but we're able to provide early insight.

In this section we set out our experience of addressing concerns over the first year of our regulation and reflect on our unique model and engagement-led approach.

Triage

Before we investigate a concern, we need to consider what we are being told at the outset and determine whether a fitness to practise investigation is a necessary and appropriate course of action. This is known as our triage activity.

In most cases, triage decisions are made by a group of social workers. Our triage test helps us decide if there are reasonable grounds to investigate a social worker's fitness to practise to determine whether there is evidence of impairment. Impairment means that there would be serious concerns about the suitability of a social worker's character or ability to practise safely and effectively.

We carefully consider all the information that the person who raised the concern has given to us, this may include:

- the seriousness of the concern
- whether there is likely to be any evidence to support the concern
- whether the incident is isolated or repeated
- whether there has been a breach of established standards or guidance
- what action has been taken already to address the concern, including whether a social worker has taken any steps to remediate
- any outcomes of any previous regulatory investigations

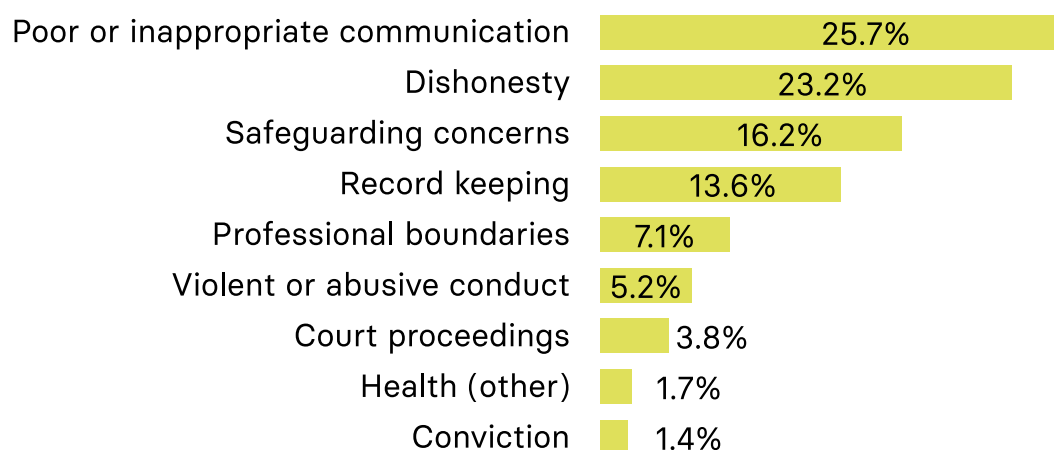
A year of referrals

We've undertaken triage work throughout our first year of regulation and begun to develop initial insight into the concerns raised to us. Most concerns are raised by members of the public, followed by employers. Concerns raised to us have included themes of poor or inappropriate communication (25.7%), dishonesty (23.2%) or safeguarding concerns (16.2%).

Graph 10: Source of fitness to practise referrals

Referrer type	% split
Member of the public	72.6%
Employer	15.3%
Self-referral	6.4%
Other social worker	2.9%
Other agency	2.7%
Total	100.0%

Graph 11:
Fitness to practise
concerns by type



First reflections: making appropriate referrals

Most concerns referred to us come from members of the public (73%). Engagement from people who have direct involvement with social workers is important and enables us to respond swiftly to matters of public protection. However, some concerns that are reported to us have not been appropriate for investigation because they do not relate to an individual social worker's fitness to practise.

We have identified concerns raised to us about social workers in court settings that appear to be rooted in a misunderstanding of the social worker's role, or who they represent. We have also received concerns related to the outcome of difficult decisions which have been unwelcome among families and communities.

Social workers in court settings represent the interests of the person they are supporting. Their testimony may not always align with the views and wishes of the people, family members or community around that individual. Social workers are also often required to make decisions in extremely difficult circumstances. Importantly, however, an unwelcome decision does not mean a social worker has fallen below our professional standards.

We encourage social workers to clearly communicate their role and what that entails. They should explain that even though they may work with several people in a person's life, they represent the needs and best interests of the person they are supporting, including in court settings. This may mean that they make decisions or recommendations that may be unwelcome by some.

For our work as the regulator, we will continue to describe social work and our role in regulating social work professionals. Our regional engagement team is developing a series of workshops on appropriate referrals which they will present to employers in 2021. Our communications team will continue work on our 'what is regulation?' campaign through our second year to communicate to the public the standards we uphold and how we investigate concerns.

Investigations

If a concern progresses through our triage test, a full investigation will be undertaken. The aim of our investigation is to review and adjudicate upon the concerns reported to us.

To come to the right decision about a concern, we undertake well-informed investigations which encourage the social worker's participation and reflection on the evidence gathered at all stages. Once an investigation is complete, we will refer all the documentary evidence collected, including representations from the social worker, to our case examiners for consideration of whether any further action is required. The case examiners may close a case with no further action, issue advice or a warning, issue an 'accepted disposal' or refer the case to a hearing.

Outcomes

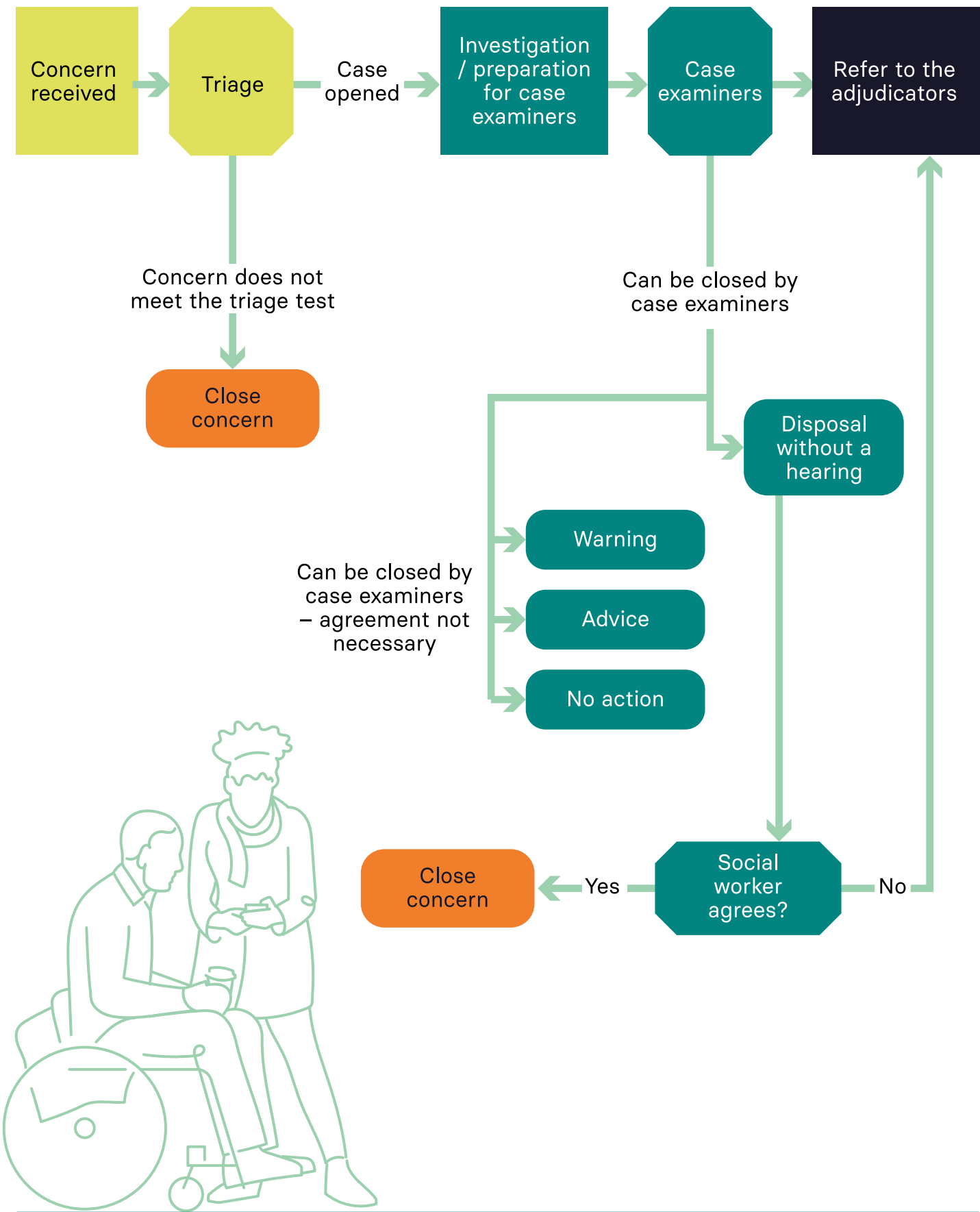
Accepted disposal

Our model of fitness to practise, as set out in our regulations and rules, is designed to provide us with options to address concerns with a wider range of outcomes and, in most cases, without the need for a final hearing.

Following investigation, in circumstances where the social worker accepts the concerns and demonstrates that they have taken measures to improve their practice, our case examiners are able to resolve a case without a hearing, also known as 'accepted disposal'.

This process is designed to avoid unnecessary hearings in circumstances where a social worker agrees with the resolution and where public protection has been upheld. This is a new tool in social work regulation, associated with the different powers we've been given through our legislation.

Figure 12: The process of a fitness to practise case before it is referred to adjudicators



Supporting social workers with restrictions on their practice

Those social workers who have agreed to restrictions on their practice are supported by our case review team. The team supports social workers with 'reviewable sanctions', including conditions of practice or suspensions. While they cannot alter the decision made to restrict a social worker's practice, they can guide social workers through their remediation back to unrestricted practice. They do this by setting deadlines for submitting evidence or explaining the conditions or suspension to help social workers comply and build good evidence for a review of their order.

Hearings

The most serious cases move from investigation to a final hearing. A case can progress to a hearing either because of the seriousness of the concern or because a hearing is required to resolve disputes about the facts being alleged.

Decision review group

The membership of the decision review group includes Social Work England staff (including social workers and lawyers), people with lived experience of social work and independent members from comparable regulators.

The group provides scrutiny of a targeted sample of decisions across the 3 stages of the fitness to practise process: triage, case examination and hearings. This gives senior members at Social Work England enhanced oversight of high-risk decisions by consistently testing and reviewing performance, as well as identifying and achieving best practice.

Participation in the group also supports members to develop an insight into broader trends in investigations and hearings, providing an opportunity to develop a stronger understanding of the complexities of social work practice and where professionals can fall short of the standards.

The group does not seek to take any action that would undermine or jeopardise the independence of decision makers at the statutory decision stages (case examiners and adjudicators). In all but the most extreme cases, the group seeks to improve our handling of concerns.

Intelligence gathered by the group guides collaboration with the sector and our policy, communications and engagement work.



Investigating concerns during COVID-19

Like many aspects of our work, at the outset of the COVID-19 pandemic, we adjusted our fitness to practise activity. We took the decision to deprioritise progressing lines of enquiry with employers and social workers in relation to lower risk cases during the peak of the pandemic where to do so would have put additional pressure on crisis response efforts.

However, work continued to prepare all cases for progression and we maintained lines of enquiries with parties not engaged with frontline COVID-19 response. We also continued to progress the investigation of higher risk cases and those cases that could either be referred to the case examiners, or were suitable for closure in accordance with rules and policies.

Operationally, we also moved to remote hearings. These consisted of interim order applications, interim and substantive review hearings, and final hearings. Remote hearings worked particularly well in encouraging social workers to engage with the process, particularly in circumstances where they may not have wanted to attend a hearing in person. Social workers who have been involved in remote hearings have commented that not having to travel to our hearing venue in Sheffield has allowed them more time to concentrate on their hearing.

Given the unpredictability of the COVID-19 context and the positive feedback on the remote hearings we've undertaken, we intend to continue to list all cases remotely in circumstances where there is no objection, until conditions allow us to resume activity on site safely. Where people do object to a remote hearing, we are exploring the possibility of a blended approach. When conditions allow us to hold a full hearings schedule on site, we may continue to hold straightforward review hearings remotely where the people involved consent.

Temporary registration - managing concerns

Our emergency registration powers allow us to remove a social worker with temporary registration from the register if we suspect that their fitness to practise may be impaired. Where we receive concerns about a social worker with temporary registration, we can apply the triage test used in our fitness to practise process. Where the concern meets the triage test, we will revoke the temporary registration of the social worker concerned and they will be removed from the register. Information on how we would respond if we received concerns about a social worker with temporary registration is included in our temporary registration guidance on our website.

How people experience our work differently

We understand from our inherited cases and from our own activity over the first year of our regulation that social workers from minority backgrounds are disproportionately represented in our caseload. To better understand why, we need to both interrogate how and why concerns are raised about social workers with the regulator, and scrutinise our own activity to evidence that our regulatory work does not impact people disproportionately based on protected characteristics. These are 2 important but distinct areas of work.

We are in the process of developing a system that allows us to assess and address the biases of our own work and report on the referrals that are made to us about social workers. At the heart of this is robust assurance that provides a continuous feedback loop to decision makers about the quality of their determinations. Our decision review group plays an important role in this and its mixed membership brings welcome challenge and scrutiny to our work.

We also understand the importance of research in improving outcomes in fitness to practise cases. As part of our commitment to advancing understanding of how people experience regulation, we're contributing to research that aims to assess the experiences of witnesses in the fitness to practise process, including the personal impact of providing testimony and its potential for re-traumatisation.

Looking to the next interim report

This report, along with the contributions from social workers and advisory members, has served as an important opportunity for us to share our experience of operating as the new specialist regulator for social workers in England over our first year. It has also invited us to reflect on a remarkable year and the role we play as the regulator in wider social and national events.

The data we've provided provides a first look into our work and what we know about social work, but we know that there's more for us to do to build a picture of the profession we regulate. As we progress to the 'Social Work in England 2023' report, we'll further develop the information and intelligence that we collect and to offer a deeper and broader understanding of social work in England. We will reflect on this work and share what we've learned in the second interim report next year.

Considering and reflecting on our experience over our first year of regulation has been an invaluable benefit to our work. Expectations of us are high, and we continue working to regulate through our specialist model to uphold safe social work practice and to protect the public. Part of that requires us to work with stakeholders across social work and while some 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 and learned experience of social work. This means asking 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.

