

Inspection Report

Inspection ID	MUR1_B
Course provider	Middlesex University
Validating body (if different)	N/A
Course inspected	Best Interests Assessor
Mode of study	Part time
Maximum student cohort	25
Date of inspection	4 th – 5 th November 2025
Inspection team	Joseph Hubbard (Education Quality Assurance Officer) Michael Isles (Lay Inspector) Kit Chand (BIA registrant Inspector)
Inspector recommendation	Approved with conditions
Regulator decision:	Approved with conditions
Date of Regulator decision:	18 th February 2026
<u>Conditions</u>	Standards 1.7; 1.5, 2.2, 2.3, 3.3, 4.2; 2.1, 2.2, 2.7
Date conditions met and approved:	20 th August 2026

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Introduction

1. Social Work England completes inspections as part of our statutory requirement to approve and monitor courses. Inspections form part of our process to make sure that courses meet our education and training approval standards for Best Interests Assessor (BIA) courses. We approve courses against these standards to ensure that students who successfully complete a BIA course can meet the requirements set out in the Mental Capacity Act 2005, Schedule A1 and 1A, the Mental Capacity (Deprivation of Liberty: Standard Authorisations, Assessments and Ordinary Residence) Regulations 2008 and the 6 BIA capabilities as described in Annex 1 to the education and training approval standards for Best Interests Assessor (BIA) courses.

2. During the approval process, we appoint partner inspectors. This will include a registered inspector who will be a qualified BIA, and a lay inspector who is not BIA qualified.

These inspectors, along with an officer from the education quality assurance team, undertake activity to review documentary information and evidence, and carry out an inspection. This activity could include observing and asking questions about teaching, observations, facilities and learning resources; asking questions based on the evidence submitted; and meeting with staff, people with lived experience and students. The inspectors then make recommendations to us about whether a course should be approved.

3. The process we undertake is described in our legislation: The Children and Social Work Act 2017, [The Social Workers Regulations 2018 - Social Work England](#), and our [Education and Training Rules 2019](#).

4. In this document we describe Middlesex University as ‘the course provider’ or ‘the university’ and we describe the Best Interests Assessor course as ‘the course’.

Summary of Inspection

5. Middlesex University’s Best Interests Assessor course was inspected as part of Social Work England’s reapproval cycle, whereby all course providers with BIA courses will be inspected against the new education and training approval standards for BIA courses.

6. A remote inspection took place from 4th – 5th November 2025.

7. As part of this process the inspection team gathered feedback from key stakeholders through meetings on inspection. This included a group of alumni from the course, two people with lived experience, and an employer partner representative.

Inspection Findings

8. In this section we set out the inspectors' findings in relation to whether the course meets the education and training approval standards for BIA courses. We describe the inspection team in this section as 'we'.

<u>Standard 1. Admissions</u>	Met or not met.
1.1 Confirm that applicants have: i. the potential to develop the knowledge and skills necessary to meet the 6 BIA capabilities set out in Annex 1 of these standards. ii. the potential to meet the eligibility criteria for the role set out in the relevant legislation governing BIA practice. iii. the capability to use information and communication technology (ICT) methods and techniques to achieve course outcomes.	Met
1.2 Confirm that applicants are and remain fully registered with a relevant regulatory body in line with the relevant regulations.	Met
1.3 Confirm that applicants have, and can demonstrate, suitable prior experience of the practical application of appropriate legislation and policy, specifically including but not limited to mental capacity, mental health and human rights legislation, and demonstrable experience of understanding risk in relation to these.	Met
1.4 Confirm that applicants have a robust level of legal literacy in appropriate legislative and policy areas.	Met
1.5 Ensure that employers, providers of observation opportunities, people with lived experience, and carers are involved in admissions processes.	Not met <i>see key observations for standard 1 for further information</i>
1.6 Ensure that the admissions processes include assessment of the suitability of applicants, including in relation to their conduct, health and character. This includes appropriate criminal conviction checks.	Met
1.7 Ensure that there are equality, diversity and inclusion policies in relation to applicants and that they are implemented and monitored.	Not met <i>see key observations for standard 1 for further information</i>
1.8 Ensure that the admissions process gives applicants the information they require to make an informed choice about whether to take up a place. This will include information about the award level and professional qualification, course content, teaching modes, location of study, assessment methods, duration, and	Met

observation requirements including the expectations around arranging or securing observation opportunities.	
<u>Key observations for standard 1</u> 9. Admission to the course is through an application form, employer reference, and interview with a member of the course team. Applicants' potential to meet the BIA capabilities, eligibility for the role, suitability, and ICT competence are assessed through these processes (1.1). Prior relevant experience and appropriate legal literacy are also ascertained through specific aspects of the application form, reference, and interview (1.3, 1.4). The application form requires applicants to provide their registration number, which the course lead checks against the appropriate register to confirm current registration (1.2). 10. We saw involvement of people with lived experience (PWLE) in design of the admissions process for this course. Representatives of the university's PWLE group (Involve) confirmed they have had meaningful involvement in reviewing the admissions process and individual applications. There is also an intention for PWLE representation on BIA interview panels in the future; this needs to be implemented before the next round of interviews preferably (1.5). 11. Employer involvement in the BIA admissions process was not clearly demonstrated during inspection. While an employer reference is required as part of admissions, we did not consider this to constitute 'involvement' per the spirit of the standard and the content of the guidance. Only one employer partner representative attended the inspection and confirmed that he has scrutinised application forms for the BIA, but the inspectors did not consider there to be robust evidence of regular formal involvement of a wider range of employers. We were not assured that there was a mechanism in place to ensure ongoing employer involvement, or meaningful involvement from more than one employer partner organisation (1.5). A condition was therefore set against standard 1.5 to reflect the need to establish more extensive and proactive partnership working and engagement with employers and observation providers. 12. A declaration of suitability form was provided to evidence how the university assesses applicant suitability for the course; there was verbal assurance that this was also considered at interview. Some information was provided regarding the processes in place for checking DBS status, and this was elaborated on at inspection. We were satisfied that a robust process is in place to ensure the required DBS is in place and meets the university's requirements (1.6). 13. Basic EDI data is collected through the course application form, and this is reviewed as part of the annual programme review to identify any concerns. Examples were provided at inspection of changes that have been made to the programme in order to support EDI policies. Applicants are asked about any additional learning needs they may have on the application form and once at interview, however, it was not clear how applicants could request reasonable	

adjustments for the admissions process itself (i.e. if they need adjustments to the application form itself or the interview ahead of being there). The inspectors agreed that a condition was required on standard 1.7 to address this gap (1.7). Full details of conditions can be found in the proposed outcome section. 14. We were satisfied that applicants are provided with the information they need to make an informed choice about taking up a place on the course (1.8).	
Standard 2. Course governance, management and quality.	Met or not met
2.1 Ensure courses are supported by a management and governance plan that includes the roles, responsibilities and lines of accountability of individuals and governing groups in the delivering, resourcing and managing the quality of the course.	Not Met <i>see key observations for standard 2 for further information</i>
2.2 Ensure that effective monitoring, evaluation and improvement systems are in place, and that these involve employers, people with relevant lived experience including carers, and students.	Not Met <i>see key observations for standard 2 for further information</i>
2.3 Ensure that admissions are aligned to a clear strategy, which includes consideration of: i. wherever appropriate, local and regional capacity for observation opportunities; and ii. the availability of part-time or other flexible course arrangements to widen access wherever possible.	Not Met <i>see key observations for standard 2 for further information</i>
2.4 Ensure that the person with overall professional responsibility for the course is a relevant qualified professional (social worker, occupational therapist, psychologist or nurse) with appropriate experience of BIA practice.	Met
2.5 Ensure that there is adequate provision of appropriately qualified and experienced staff.	Met
2.6 Ensure that educators are supported to maintain their knowledge and understanding in relation to mental capacity, mental health and human rights legislation and policy, including recent developments, and the practical application of this via the Deprivation of Liberty Safeguards, including giving support to undertake continuing professional development relevant to their role.	Met
2.7 Ensure that students have the opportunity to provide feedback about the course and that this feedback is analysed, shared with employers and others	Not Met

involved in commissioning places on the course, and used to inform the management and development of the course.	see key observations for standard 2 for further information
Key observations for standard 2 15. An organisation map was provided which gave some details of programme governance, along with staff CVs demonstrating the relevant experience of those who oversee the course. However, no documentation was provided which outlined the process in place to ensure the quality management of the course. We were assured regarding the resourcing of the course by both documentation and narrative provided at inspection, but were still not clear regarding the actual quality assurance processes in place (2.1). 16. We saw evidence which confirmed that the BIA programme is monitored as part of the monitoring of the MA Advanced Social Work, rather than having its own annual programme review. The documentation provided of the ‘sprint’ review system for the MA Advanced Social Work contained very little information regarding the BIA. We therefore concluded that a condition was necessary on standard 2.1, namely for the course leadership team to codify when, how and by whom course quality is monitored, evaluated and maintained (2.1). 17. Regarding input from the listed stakeholder groups for standard 2.2, people with lived experience confirmed at inspection that they have a link educator who represents them on university committees, using the input they provide through their regular group meetings. Alumni confirmed that they did provide feedback to the university on the course, but they were not sure where that feedback goes or how it is used for course improvement. One employer partner attended the inspection and confirmed that there are plans for him to be involved in programme reviews, but that these are not in place yet. As standard 2.2 also relates to quality assurance processes and the inspectors agreed that they had not seen clear evidence of how the BIA is quality assured, including how stakeholders are involved in this, a condition was also applied to this standard (2.2). 18. We did not see evidence of how student observation opportunities were monitored and assessed against student observation needs. Neither was any information provided regarding partnership arrangements with employers or regional capacity for offering observation opportunities. We met with one employer partner representative during the inspection, however there was no evidence of proactive engagement with more employers around establishing capacity for observation opportunities proportionate to admissions numbers for the course. We determined that a condition was required for standard 2.3 (2.3).	

19. The person with overall professional responsibility for the course is a relevant qualified professional with appropriate experience of BIA practice (2.4). Inspectors were assured by an organogram and staff CVs that there is adequate provision of appropriately qualified and experienced staff for the course (2.5). Course staff provided examples of continuing professional development activities they have engaged in and how they stay up to date with current case law. It was confirmed that all academic staff have four weeks of study days per year (2.6) 20. We found that student feedback data is collected, but it was not clear to us how this is used to improve course delivery. Students confirmed that they provided course feedback but were not sure how this is used. Clearer articulation of quality assurance processes is needed; this should include specific reference to how student feedback informs the development of the course; as such, we determined that the condition applied to standards 2.1 and 2.2 should also apply to standard 2.7 (2.7). Full details of conditions can be found in the proposed outcome section.	
Standard 3. Observation opportunities.	Met or not met
3.1 Ensure that each student has the opportunity to undertake a minimum of 2 practice observation opportunities which: i. enables the student to shadow a BIA or community DoLS assessment. ii. provide practice experience that can be applied to a variety of settings and types of supervisory body. iii. enables the student to observe a suitably qualified and experienced relevant qualified professional who has relevant and current knowledge, skills and experience to demonstrate safe and effective practice. iv. enables the student to produce a detailed analysis of relevant practice issues which forms part of the student's overall assessment.	Met
3.2 Ensure that the number, duration and range of observation opportunities is appropriate to support the delivery of the course and the achievement of the learning outcomes.	Met
3.3 Maintain clear collaborative arrangements for planning and communication with providers including a thorough and effective system for approving and monitoring all observation opportunities.	Not Met <i>see key observations for standard 3 for further information</i>

Key observations for standard 3 21. Clear evidence was provided by the course provider that each student undertakes two practice observations which meet the requirements of the standards. It was also clear that assessments draw on the students' experience and analysis of their practice observation opportunities. Students and university staff acknowledged difficulties in securing observation opportunities for all students. The university confirmed that where a student has not been able to secure a second observation in time, their assessment is deferred to ensure this happens before they complete the course. The university is conscious of this issue with observation provision and taking action to address it, such as setting up a network of previous students who can offer observation opportunities to current students (3.1). We recommend that the university continues this work to increase availability of observation opportunities; full details of the recommendation can be found in the proposed outcome section. The earlier comments regarding employer engagement (Standard 2) may also expand the number of observation opportunities accessible to prospective students. 22. The main mechanism for confirming that observations support achievement of the learning outcomes is through the observation verification form. This confirms the nature of the observed assessment, and the credentials of the observed professional (3.2). Standard 3.3 requires course providers to have collaborative arrangements with observation providers for planning and monitoring of observation opportunities. The guidance for the standard states that course providers should work in partnership with providers and produce clear guidance outlining the requirements around observation opportunities. 23. The university provided narrative outlining that the majority of their students are self-funded rather than sponsored by their employers. In light of this, the university defers responsibility for sourcing observation opportunities to students, and there is guidance in the course handbook as to the requirements the observations must meet. The inspectors were in agreement that, as standard 3.3 requires partnership working with observation providers themselves, the compound condition applied to standards 1.5, 2.2, and 2.3 should also apply here (3.3). Full details of conditions can be found in the proposed outcome section.	
Standard 4. Curriculum and assessment	Met or not met
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	Met

requirements of the role as set out in the 6 BIA capabilities set out at Annex 1, as well as a sound understanding of cross-national border issues in relation to practice in Wales, where this is appropriate.	
4.2 Ensure that the views of employers, practitioners, people with lived experience of social work and carers are incorporated into the design, ongoing development and review of the curriculum.	Not Met <i>see key observations for standard 4 for further information</i>
4.3 Ensure that the course is designed in accordance with equality, diversity and inclusion principles, and, human rights and legislative frameworks.	Met
4.4 Ensure that the course is continually updated as a result of developments in research, legislation, government policy, best practice, and case law.	Met
4.5 Ensure that the integration of policy, legal literacy and practice is central to the course.	Met
4.6 Ensure that the number of hours spent in structured academic learning under the direction of an educator is sufficient to ensure that students meet the required level of competence.	Met
4.7 Provide staff involved in leading and delivering the training with sufficient protected training time to keep their own practice and knowledge up to date in line with statutory and regulatory requirements.	Met
4.8 Ensure that assessments are robust, fair, reliable and valid, and that those who successfully complete the course have developed the knowledge and skills necessary to make robust, independent and well-evidenced assessments in the best interests of the person. This should include regular monitoring and evaluation of assessment standards to ensure that they remain robust and reliable.	Met
4.9 Ensure students are provided with feedback throughout the course to support their ongoing development.	Met
4.10 Ensure that the course is designed to enable students to develop an evidence-informed approach to assessment and evaluation, underpinned by skills, knowledge and an ability to interpret and respond appropriately to legislative and policy change and case law.	Met
4.11 Ensure that the course equips students with knowledge and skills in relation to identifying and anticipating areas of conflict arising from DoLS processes and outcomes, and supporting individuals, families, carers and agencies to understand the checks and balances of the DoLS system, to support a robust,	Met

independent and well-evidenced determination in the best interests of the person.	
4.12 Clearly specify requirements for student progression and achievement within the course.	Met
4.13 Clearly specify that any equivalent award which may be made will not lead to eligibility to be approved as a BIA.	Met
4.14 Clearly specify a process for the appointment of at least 1 external examiner who must be an appropriately experienced and relevant qualified professional.	Met
<u>Key observations for standard 4</u> 24. Through review of course documentation and discussions with students and course team staff at inspection, it was confirmed that the course content is mapped to the BIA capabilities (4.1). 25. Evidence demonstrated that people with lived experience have been involved in the design and development of the curriculum, and this was triangulated at inspection with members of the Involve group. Regarding employer involvement, notes were provided of two meetings held this year, with a representative from one employer partner at each. These meetings did appear to involve discussion about the curriculum, however we were assured that there was any mechanism for regular meaningful involvement in course development. The inspectors therefore agreed that the condition applied to earlier standards regarding employer involvement should also be applied here (4.2). Full details of conditions can be found in the proposed outcome section. 26. Inspectors were directed to the university's EDI hub for details of relevant policies and processes, along with details of how the university caters for students who have additional learning needs or require reasonable adjustments (4.3). 27. Examples were provided of updates that have been made to the course, and how course staff themselves stay up to date to ensure the course content remains current (4.4). We were also assured that the course content reflects consistent integration of policy, legal literacy, and practice. Students confirmed that they are given information on case law and access to legal resources to use as evidence, with case studies used to support application of the law to practice (4.5). 28. Course documentation indicated that the number of hours spent in structured academic learning is sufficient to ensure students meet the required competence	

level (4.6). As discussed within standard 2.6, course staff provided examples of continuing professional development activities they have engaged in and how they maintain the currency of their practice and knowledge. It was confirmed that all academic staff have four weeks of study days per year (4.7). 29. The assessment approach and process was set out in the course handbook, along with an EE report and module evaluation, evidencing that the course assessment is regularly monitored. Course staff stated that feedback from employer partners confirms the competence of BIAs who have trained through this course (4.8). Mapping documentation outlined the feedback processes in place, and students confirmed that they received constructive feedback on their work during the course (4.9). 30. The course handbook indicated that the course is designed to foster an evidence-informed approach to assessment, and students confirmed on inspection that the course had emphasised the importance of case law and use of evidence (4.10). Review of the course content documentation indicated a broad range of learning topics are covered, including those stipulated by standard 4.11 such as areas of conflict arising from DoLS processes (4.11). 31. The course handbook clearly set out the requirements for student progression and achievement on the course (4.12). It was noted within the course handbook that no equivalent award is available for this course (4.13). Documentation was provided to evidence that a process is in place for the appointment of an appropriate external examiner, and the current external examiner was confirmed to be a registered professional with appropriate experience (4.14).	
Standard 5. Supporting students.	Met or not met
5.1 Ensure that students have access to resources to support their health and wellbeing including confidential counselling services. The course must also equip students to understand the potential impact of BIA practice on their own emotional and mental wellbeing, and the importance of identifying ways to handle this impact.	Met
5.2 Ensure that students have access to a system of academic and pastoral support for their progression, development and welfare.	Met

5.3 Ensure that there is a thorough and effective process for ensuring the ongoing suitability of students' conduct, character and health.	Met
5.4 Make reasonable adjustments for students with health conditions or impairments to enable them to progress through their course and meet the specialist, capabilities in accordance with relevant legislation.	Met
5.5 Provide timely information to students about their curriculum, observation requirements, assessments, and implications for their continuing practice, including arrangements for annotation of the register and requirements for periodic refresher training.	Met
5.6 Ensure that students are able to draw links between the completion of their BIA course and ongoing refresher training, and the ongoing requirements of their professional registration such as continuing professional development.	Met
5.7 Provide timely and meaningful feedback to students on their progression and performance in assessments.	Met
5.8 Ensure there is an effective process in place for students to make academic appeals.	Met
5.9 Ensure that policies and processes, including for whistleblowing, are in place for students to challenge unsafe behaviours and cultures and organisational wrongdoing, and report concerns openly and safely without fear of adverse consequences.	Met
<u>Key observations for standard 5</u> 32. The university provided links to their student support web portal, which laid out the support provision available for students, including a confidential counselling service (5.1). Academic support is provided through the course team	

and library services, with individual learning support plans put in place for students who require them (5.2). 33. Teaching materials were provided evidencing that course content addresses the potential impact of BIA practice on practitioners' own wellbeing, and ways of mitigating that risk. This was discussed further at inspection, with the course team noting that they made additions to course content to ensure this was covered following publication of the new standards (5.1) 34. The suitability of students' conduct, character, and health is ensured at admissions through a comprehensive declaration of suitability, along with professional registration and DBS checks (5.3). Comprehensive information on all areas outlined in standard 5.5 is covered within the course handbook and programme webpage (5.5). Students confirmed that they are made aware of the requirements for ongoing BIA refresher training, alongside the requirements of their existing professional registration (5.6). Policies are in place, as required, for academic appeals and for whistleblowing (5.9). 35. As discussed under standard 4.3, details were provided of how the university caters for students who have additional learning needs or require reasonable adjustments (5.4). As noted within standard 4.9, mapping documentation outlined the feedback processes in place, and students confirmed at inspection that they received constructive feedback on their work during the course (5.7).	
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Proposed outcome

The inspection team recommend that the course be approved with conditions. These will be monitored for completion.

Conditions

Conditions for approval are set if there are areas of a course that do not currently meet our standards. Conditions must be met by the course provider within the agreed timescales.

Having considered whether approval with conditions or a refusal of approval was an appropriate course of action, the inspection team are proposing the following conditions for this course at this time.

	Standard not currently met	Condition	Date for submission of evidence	Link
1	1.7	The course provider will evidence that it is clear to applicants how they can request any reasonable adjustments they require for the admissions process itself.	18 th April 2026	Standard area 1
2	1.5, 2.2, 2.3, 3.3, 4.2	The course provider will evidence that they have developed a strategic plan for ongoing partnership working with employers regarding the BIA course, to include involvement in; 1. Admissions processes 2. Course quality assurance 3. Creation of observation opportunities 4. Curriculum design and review	18 th August 2026	Standard area 1; 2; 3; 4
3	2.1, 2.2, 2.7	The course provider will evidence that there is a documented and effective quality assurance process in place for the BIA course, and that this involves employers, people with relevant lived experience, and students.	18 th August 2026	Standard area 2

As conditions have been attached to the approval, the course provider must provide evidence of meeting these conditions as outlined in the report and in the timescales agreed. Failure to do so may result in approval being withdrawn.

Recommendations

In addition to the conditions above, the inspectors identified the following recommendations for the course provider. These recommendations highlight areas that the course provider may wish to consider. The recommendations do not affect any decision relating to course approval.

	Standard	Detail	Link
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1	3.1	The inspectors recommend that the university continues work to increase availability of observation opportunities.	Standard area 3
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Meeting of Conditions

If conditions are applied to a course approval, Social Work England completes a conditions review to make sure course providers have complied with the conditions and are meeting all of the BIA standards [insert link to these]

Inspectors will undertake the conditions review and make recommendations to Social Work England's decision maker.

This section of the report will be completed when the conditions review is completed.

	Standard not met	Condition	Inspector recommendation
1	1.7	The course provider will evidence that it is clear to applicants how they can request any reasonable adjustments they require for the admissions process itself.	Condition met
2	1.5, 2.2, 2.3, 3.3, 4.2	The course provider will evidence that they have developed a strategic plan for ongoing partnership working with employers regarding the BIA course, to include involvement in; 1. Admissions processes 2. Course quality assurance 3. Creation of observation opportunities 4. Curriculum design and review	Condition met
3	2.1, 2.2, 2.7	The course provider will evidence that there is a documented and effective quality assurance process in place for the BIA course, and that this involves employers, people with relevant lived experience, and students.	Condition met

Findings

36. The conditions review was undertaken as a result of the conditions set during the course approval, as outlined in the original inspection report above.

37. A link was provided to the updated course webpage, which now includes a clear prominent invitation for applicants to request any reasonable adjustments they may need for the admissions process. The inspectors determined that this standard is now met (1.7).

38. The course provider submitted a strategic plan for course administration, outlining how employers will be involved in admissions, quality assurance, and curriculum design. To address the aspect of the condition regarding observation opportunities, a revised application form was provided which requires sponsoring employers to confirm the candidate has access to suitable observation opportunities (1.5, 2.2, 2.3, 3.3, 4.2).

39. However, the inspectors noted that this mechanism will not apply to self-funding candidates, and therefore requested further evidence from the course provider to demonstrate how they will work with employers to quality assure observation opportunities for self-funders. In response, a revised observation verification form was provided which lays out requirements for all observations, and requires the qualified BIA to confirm the observation is suitable prior to it taking place. The inspectors agreed that the standards are now met (1.5, 2.2, 2.3, 3.3, 4.2).

40. The inspectors reviewed the strategic plan for the quality assurance of the course, which set out how the course provider will involve stakeholders in various aspects of course monitoring and improvement. The inspectors agreed that this was sufficient to find the standard met, and applied a recommendation that the strategic plan would benefit from the addition of a timeline and designated point of contact (2.1, 2.2, 2.7).

41. Following the review of the documentary evidence submitted, the inspection team are satisfied that the conditions set against the approval of the course are met.