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**Information Pack**

**Membership of Social Care Wales Regulatory Panels**

**November 2020**

**Closing date: 18 December 2020**

**Interviews are likely to be held on: 25 January - 12 February 2021**

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**Social Care Wales**

**A welcome from Sue Evans, Chief Executive**

*Social Care Wales is looking for special people to join us.  I’ve been at the helm since we were established in 2017 and I’m thoroughly enjoying the focus on regulation for improvement.  We want all of our work to support the social care workforce to be the best it can be. Our approach ensures people who rely on excellent social care can be assured of the skills, care and commitment of those who are supporting them.*

*We are the workforce regulator and we want to increase the number of Fitness to Practice panel members, because the number of people on the Register is going to increase significantly and social care faces the challenge of greater demands on its workers, as people live longer and often have more complex health and social care needs.  Our ambition is to help the workforce to safeguard and empower people to fulfil their aspirations.*

*COVID-19 has shown the true value of social care workers in supporting individuals and their communities, and helping keep them safe during the pandemic.*

*We want to support improvement by ensuring that standards of practice are upheld and that action is taken when professionals do not meet the expected standards.*

*Are you interested in making a difference in Wales, by becoming one of our Fitness to Panel members, where you will have an important role in helping maintain the high standards for those who work in the social care sector.*

*Thank you for your interest in our work and I encourage you to consider applying.*



**Sue Evans**

**Chief Executive**

**Introduction Social Care Wales**

Our role as the workforce regulator includes setting the professional standards that underpin good social care practice and conduct. If those standards are not met by registered workers, we follow a fitness to practise process to address any concerns and keep the public safe.

This is done through our Registration and Fitness to Practise Panels which play a vital role in making sure the workers on our Register are skilled, professional and competent.

**Legislation**

The Regulation and Inspection of Social Care (Wales) Act 2016 and its associated legislation governs our work and our regulatory function.

*For more information about our work, please visit our website:* [*www.socialcare.wales*](http://www.ccwales.co.uk)

**Role of Panel Members**

This section provides an overview of the role.

**Purpose of a Panel Member**

1. To sit as a member of the Social Care Wales regulatory panels.
2. To consider and decide on behalf of Social Care Wales on the suitability of an applicant applying for registration or renewal of registration on the Social Care Register where their application has been refused by the Registrar, and, on the fitness to practise of registered persons being investigated by the Fitness to Practise team for allegations of impaired fitness to practise.

**Main Responsibilities**

1. To work as part of an efficient and impartial team to decide the suitability of applications to register/renew registration and the suitability of registered persons to stay on the register, as a result of fitness to practise concerns.
2. To assess and evaluate evidence and deliberate and make decisions based only on the evidence before the panel.
3. To make sure that the consideration of cases and hearings are fair to the applicant, registered person and Social Care Wales.
4. To make sure deliberations and decisions are made objectively, and that they are not influenced by public opinion, emotion, bias or external persuasion.
5. To present their own views when required and discuss other members’ views making sure that full and clear reasons for the decision are given and that complex issues are clearly explained.
6. To take responsibility for the decisions and the reasons agreed by the panel
7. To provide feedback that will improve the efficiency and delivery of hearings.
8. To act in accordance with the Code of Conduct for Panel Members.
9. To meet the requirements stated in the Confidentiality Agreement for Panel Members.
10. To take part in induction, training and performance reviews in order to improve the operation, decision-making and credibility of the Panel hearings including the members appraisals process.
11. To comply with Social Care Wales equal opportunities policy and procedures.

**Personal Specification for Panel Members**

This section describes the criteria and the skills and experience we are looking for.

A **lay member** is:

* A member of the general public, in particular, individuals who use social care services or have family members or friends who use social care services and informal carers in Wales;
* a person who is not, or has not in the last five years been;
	+ 1. a registered social worker, social care worker or social care manager;
		2. involved in the training, education, appointment, employment, supply, supervision, monitoring or representation of social workers or social care workers/managers.

A **social care member** is:

A person who is currently, or has, in the last five years been;

* a registered social worker, social care worker or manager in Wales;
* involved in the training, education, appointment, employment, supply, supervision, monitoring or representation of social workers or social care workers/managers in Wales.

**Essential Criteria for all Members**

* The ability to understand and assess complicated evidence and arguments
* IT literate and confident in using various platforms such as Zoom, Skype for Business, Microsoft Teams, etc

**Essential Criteria for Social Care Members**

* Awareness and understanding of the current working practices and challenges within the social care sector in Wales
* Understanding of the various legislation which governs the social care sector, such as, Social Services and Wellbeing (Wales) Act 2015 and the Regulation and Inspection of Social Care (Wales) Act 2016

**Desirable Criteria for Members**

1. **Analytical, decision making and adjudication skills**
(a) the ability to carry out relevant and fair questioning;

(b) the ability to work within a framework, applying the relevant Rules and guidance, whilst being able to differentiate and weigh up competing arguments and draw sound conclusions capable of justification under close scrutiny; and,

(c) the ability to arrive at shared judgements on contentious issues, with a commitment to collective responsibility.
2. **Relevant knowledge**

(a) an understanding of professional regulation, as well as professional disciplinary and impairment issues; and,

(b) a good understanding of how a panel upholds professional standards and ensures the highest levels of public protection, whilst recognising the individual's right to a fair hearing.
3. **Personal Qualities**
4. high level interpersonal and communication skills, with the ability to articulate your views clearly in a style respectful to others including an ability to work as part of a team;
5. an understanding of the importance of maintaining confidentiality in relation to the materials and evidence seen while performing the role;
6. an understanding of and a commitment to the principles of equal opportunities and diversity;
7. an awareness of and commitment to the Seven Principles of Public Life (the Nolan Principles);
8. professional approach incorporating respect, confidentiality and sensitivity at all times;
9. Capacity to be calm under pressure and work flexibly to meet deadlines;
10. Willingness to undertake relevant training;
11. Willingness to participate in ongoing feedback mechanisms designed to continually improve the effectiveness of Social Care Wales’s regulatory functions;
12. Willingness to undertake self-reflection after each hearing and formally on an annual basis with honesty and professionalism.
13. **Relevant experience**
14. recent experience of sitting as a member of a committee or board (or other experience of working as part of a team, either in a professional or a voluntary capacity);
15. experience of professional standards and professional regulation;
16. commitment to and an understanding of the importance of upholding the public interest in all that Social Care Wales undertakes;
17. experience of making decisions about others’ conduct within formal procedures;
18. willingness to gain insight into the needs and perspectives of stakeholders within social care services.

**Lay Members – Chairs**

**Essential Criteria for Chairs**

1. Ability to read out aloud in public with confidence and calmness
2. Experience of handling difficult and challenging situations in a calm, fair and confident manner without impacting on the efficiency of proceedings
3. Recent and relevant experience of chairing a panel hearing, formal committee or board
4. Experience of reading and understanding complex documents and applying that understanding to come to a reasoned decision
5. Experience of giving a personal view with integrity, without bias or prejudice

**Desirable criteria for lay members who may be interested in sitting as Chairs**

1. Experience in understanding Rules, guidance and formal, legalistic processes and working to them in practice
2. Confidence to carry out the role of both chair and panel member during decision making discussions.

**APPENDIX 1**

**The Panel Structure**

**Introduction**

This section gives you more information about the various panels which help us carry out our regulatory role.

The role of the panels is to protect the public and maintain:

1. public confidence in social care workers,
2. a high standard of conduct and practice among social care workers and
3. fairness and justice in each case.

We are looking for members of the public and people with direct knowledge and experience of social care to sit on the following panels;

* The Registration Appeals Panel
* The Interim Orders Panel
* The Fitness to Practise Panel

**The Registration Appeals Panel**

The Registration Appeals Panel sits in public and considers appeals against the Registrar’s decision to refuse registration or renewal of registration.

It also considers applications to be restored to the Register after being removed by a Fitness to Practise Panel,.

The applicant or registered person is invited to attend this hearing and they may bring representation and call witnesses to give evidence in the hearing.

**The Interim Orders Panel**

This panel normally sits in private and considers allegations of impaired fitness to practise referred to it by our Fitness to Practise team. The panel may suspend a registered person’s registration or impose conditions on their registration while we investigate.

The registered person is invited to attend this hearing and they may bring representation and call witnesses to give evidence in the hearing.

**The Fitness to Practise Panel (final hearing)**

This Panel normally sits in public but, where medical evidence is considered the hearing is in private. The panel considers allegations of impaired fitness to practise. Where a person’s fitness to practise is regarded to be impaired, the panel may impose an outcome, called ‘disposals’ which may affect their registration and their ability to work in social care, for example, they may suspend a worker’s registration or remove their name from the register which means they will be unable to carry on working in their registered role.

The registered person is invited to attend this hearing and they may bring representation and call witnesses to give evidence in the hearing.

**APPENDIX 2**

**Membership of each panel**

Each panel will have three members, including a Chair.

You can expect to find the following people at a hearing:

* **1 Chair** –a lay member.
* **1 Lay Member** (a member of the public)
* **1 Social Care Member**

**Others present at hearings**

You can expect to see the following people at hearings:

* Legal Adviser (at all hearings) (Hugh James Solicitors)
* Medical Adviser (at a hearing where a registered person’s health is being considered)
* Clerk (at all hearings – member of staff)
* Presenter – a solicitor (Blake Morgan Solicitors or Fitness to Practise Officer) presenting a case on behalf of Social Care Wales when an applicant / registered person is attending a hearing
* Fitness to Practise Officer – member of staff who carries out the investigation into allegations
* The applicant or registered person, and their representative, if they have one.

**FAQs about being a member**

**How long do hearings last?**

Full day hearings normally start at 09.30 and finish on or around 5pm. Some may finish earlier or later, as each case and hearing is different and often unpredictable.

Fitness to Practise final hearings normally last between 1-5 days, but some may be allocated for more than 5 days.

You will be told how long the hearing is scheduled for.

When members are ‘booked’ to sit on a hearing, they are expected to be available for the full duration of the hearing.

**Where are hearings held?**

Currently, due to the Coronavirus pandemic, all hearings are held remotely via Zoom. This approach is likely to continue for the foreseeable future with some hearings possibly being held in the office again when it is safe to do so, in line with Government advice.

When we hold hearings in the office, they are usually held in our Cardiff office and via video link from our office in St Asaph. However, at times, we may use external venues in Cardiff or other locations around Wales.

**How much will I be paid?**

Chairs - £225 a day

Members - £200 a day

**Will I be paid for reading the bundles?**

The daily rate payment includes time for reading the papers in advance of the hearing and attendance at the hearing, however, for bundles (the case file the panel will be considering) over 700 pages, an additional one-off fee of £100 will be paid.

**Will I have to pay tax and National Insurance on the daily payment?**

Yes, any taxable payments totalling over £719 each month will be subject to National Insurance at 12%, for employed and self-employed members.

This is because payments you receive from Social Care Wales are treated as employed earnings for tax and NI purposes.

**Travel and Subsistence claims - am I allowed to use my car to travel to hearings?**

Yes. If you use your car to travel to a hearing venue, where public transport would have been available, you will be expected to claim the public transport rate (23.8ppm).

Using public transport as much as possible is encouraged, but we understand that at times, using your own car is more convenient, and that’s fine, as long as the public transport rate is claimed.

Car share is also encouraged if possible.

**How often will I sit on a hearing?**

It will depend on your availability, how often you have sat, as well as any potential conflict.

**What happens if I am hardly ever available to sit on hearings due to my work and other commitments?[[1]](#footnote-1)**

We keep a log of how often members sit on hearings and attend training days and the reasons for declining a sitting / absence from training.

This information will be considered during the re-appointment process if a member still wishes to be considered for a further 4 years.

It is unlikely that a member will be re-appointed if their availability was poor during the first 4 years due to work commitments unless they are able to confirm that their availability will improve. Some members may then be reappointed for a shorter period (probably 12 months) in the first instance, on a probationary period.

**How often will my performance be measured?**

As a learning organisation, we are encouraged to reflect on our performance and behaviour at all times, therefore, the members appraisal process is an opportunity to reflect on performance, approach, behaviour, adherence to Social Care Wales values, etc.

All members are expected to informally reflect on their performance, conduct and behaviour after sitting on every hearing, but a formal appraisal and reflection will be carried out once a year with a colleague member.

The main purpose of the appraisals is to find out where more training is required, and to formally note any areas to improve or concerns about a member’s performance or behaviour.

The appraisals carried out over the four years of your (initial) appointment will be considered if you apply for another four years.

The appraisal criteria are based on the Members’ Competencies, enclosed.

It is important that the comments made in the appraisals are honest, fair, constructive and relate to the hearing that the member has just sat on.

**I’m a social care member – why can’t I sit as Chair?**

The legislation that governs our regulatory work states that the Chair of each panel must be a lay member.

**How often will we have training?**

We aim to hold up to two training / development sessions a year, where necessary.

**Will I be expected to attend training sessions?**

Yes. As a learning organisation, we expect panel members to attend all training sessions arranged by Social Care Wales, where possible.

Members will receive a day’s payment for attending training, and travel and subsistence can be claimed.

**What do our current members think of the role?**

*“Being a professional panel member for Social Care Wales has been a fantastic learning experience for me.  I consider it a privilege and in this role I have been afforded the opportunity to use my professional skills and experience within adult social care services and inspection and regulation of the same. I have always enjoyed working alongside social care colleagues, legal support , professional and lay panel members.*

*The diverse background of panel members gives a broad skill and experience base which supports a fair and transparent process and opportunity for scrutiny of decision making.*

*The training and support from the team is excellent and any issues, concerns or questions are managed quickly and professionally.*

*During my time as a panel member I have always felt valued and that I can fully contribute professionally to the hearings process."*

**Leigh Thorne, Social Care Member, 11/09/2020**

*“After thirty two years as a qualified social work practitioner/team manager, I made the decision seven years ago to retire from the position, but at that time ideally wanting to undertake a role still linked in some way to the social care profession.*

*I was also wishing to put something back into social care, and given the role(s) undertaken which I had found to be satisfying, rewarding and on occasions challenging.*

*The role of social care member has allowed me to utilise those skills and experience gained during my career, and where appropriate at hearings to share with colleagues the knowledge gained and when perhaps considering aspects of policy, good practice and procedures. Participating as the social care member at hearings has also allowed me to contribute to Social Care Wales’ commitment to deliver better services, and at the same time improve the general public’s perception and confidence in Social Care.*

*Given my social work background, and the various roles undertaken I always valued the importance attached to teamwork. I have always seen the panel members as a team - working in collaboration when discussing the respective case(s).*

*I have felt privileged to have been a member of this team.”*

**Phil Kirkham, Social Care Member, 9/09/2020**

*"I joined Social Care Wales’ fitness to practise panel in 2013 as a lay member and chair, having already acted in a similar role for another healthcare regulator.  I was immediately struck by the diversity of background and experience of my co-panellists and the huge variety of skills and knowledge they brought to the role.  Some had been involved in fitness to practise work previously but most had not; all were committed to working co-operatively together to protect the public.*

*The organisation is friendly and well-organised.*

*You can expect to be well supported through annual training.  Hearing bundles are distributed well in advance of hearings and the administrative and legal support at hearings is excellent.*

*As a panel member, you will contribute to the important task of protecting the public while developing your skills in analytical thinking and collaborative decision-making.*

*For lay members, you will also have the opportunity to train as a chair and to gain valuable experience in chairing formal hearing processes in a friendly and supportive environment."*

**Helen Potts, Lay member, 8/09/2020**

*“I have learned so much since becoming a lay panel member for Social Care Wales, and continue to learn with each hearing. The organisation is supportive and inclusive, no matter what your career background.*

*The training every year is robust, challenging, rewarding and fun.*

*The staff and legal teams we work with always treat everyone with respect and honesty and I find that really refreshing in an organisation".*

**Davina Payne, Lay member, 7/09/2020**

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| *“My time with Social Care Wales as a Lay Panel Member  has been nothing but a positive experience. I have had the opportunity not just to build relationships with colleagues in different areas of practise but also to develop and build on both new and existing skills.* *The support we have received from Social Care Wales to grow both personally and professionally has been outstanding”.***Tony Graham, Lay member 26/09/2020** |

“*If you are passionate to uphold standards and quality in social care then this role is for you.*

*It provides the opportunity to use your experiences as a social care worker, to analyse complex information to make fair decisions.*

*I have met and worked with interesting people from all walks of life, some of whom have become friends.*

*You are supported in your role well by Social Care Wales, training and guidance is provided and you will learn new skills and open up other opportunities - so go for it!”*

**Nygaire Bevan, Social Care Member, 25/09/2020**

*“Having joined the team at Social Care Wales as a Lay member, I have found the appointment to be both rewarding and challenging. Playing a small part in helping to ensure that persons entrusted with the care of the vulnerable in our society are fit and capable to do so, in the eyes of those using the services and also the wider public, is a fulfilling experience.*

*Fellow members of my cohort have been very supportive and engaging with the process and always put you at ease when sitting on a case together.*

*SCW provides excellent training and administrative support and appraise your performance regularly which is advantageous.*

*I have thoroughly enjoyed my tenure and feel that it is a worthwhile and valuable role for me of which I am very proud.*

*I look forward to welcoming new faces to the team.”*

**Sian Timbrell, Lay member, 7/09/2020**

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| *“I always thought that for many members of society, the work of the social care profession was extremely valuable, but I never thought that I could contribute to it at all.**When I saw the advert for lay members, I read it to see which qualifications were necessary. I soon realised that many skills I used in my day to day work interviewing people, researching and analysing information in order to make decisions etc, were very similar to the skills required for this role.**I can’t deny that I didn’t have doubts to begin with, as I knew nothing about the social care area. That wasn’t a problem of course, as one member of each panel works in social care; therefore, the doubts didn’t last long. The formal training I received, as well as the informal advice and the encouragement from experienced members, the legal advisers and Social Care Wales’ staff, gave my confidence in the role a significant boost.**Now I enjoy working with a number of people whom I would never have met if I hadn’t applied for this role. I’m glad to be able to share experiences on a professional level with them and see how we have all developed as individual members and co-members during the time since we started in the job.”***Islwyn Jones, Lay member, 27/09/2020** |

**Further information**

**Process of application**

* Application - online
* Closing date – 18 December 2020
* Shortlisting - 11-15 January 2021
* Interviews – a group discussion and one to one interview, (likely to be held via Zoom) – 25 January -12 February 2021
* Training – 3 days training (likely to be via Zoom) – 23-25 March 2021
* Appointments to start from April 2021

If you need further information regarding the appointment process or the roles please contact:

Elin Harris, Hearings Manager, 02920 780643

Email: Elin.harris@socialcare.wales

To apply for the role, email: panel@socialcare.wales

*For more information about Social Care Wales and our hearings please visit our website:* [**https://socialcare.wales/dealing-with-concerns/hearings**](https://socialcare.wales/dealing-with-concerns/hearings)

1. Some members hold down full time jobs and also sit on other regulatory bodies such as the NMC, and therefore their availability at times is minimal. [↑](#footnote-ref-1)