



Gofal Cymdeithasol **Cymru**
Social Care **Wales**



Noddir gan
Lywodraeth Cymru
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Welsh Government

Suitability guidance for the social work degree in Wales



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Introduction

People with care and support needs and the public expect social workers to be well-trained, to work to high standards and to be accountable for their actions.

As such, there are clear expectations and responsibilities social work students need to meet that may differ to other students.

Social work students have to register with Social Care Wales at the commencement of their training and need to demonstrate their understanding and application of the *Code of Professional Practice for Social Care* in both their academic and practice-based learning.

The Approval and Inspection of Degree Courses in Social Work (Wales) Rules 2018 set specific criteria for selection onto social work programmes. The rules also require higher education institutions (HEIs) to have clear procedures for determining the suitability of students and termination of training should a student be found unsuitable for social work.

Social work education in Wales is an integrated learning experience with half the student learning experience taking place in practice. The model for social work education delivery is based on a partnership of HEIs, employers, people with care and support needs and carers; with employer partners taking a lead role in managing practice learning arrangements.

This document provides guidance on the roles and responsibilities of HEIs, their employer partners and Social Care Wales to ensure the suitability of social work students for training and professional registration.

Social Care Wales has developed this guidance in collaboration with the programmes that provide the social work degree in Wales.



Section 1

Application, selection and student registration

This section sets out what should happen before a student is enrolled on a social work degree programme in Wales.

Before a student is accepted on to a social work degree programme

Before admitting an applicant on to a programme, the HEI with its partners, must undertake an assessment to be reasonably certain that:

- the applicant has the potential to meet course requirements
- the applicant has sufficient relevant experience in social care that they can demonstrate the values and basic skills that correspond to those generally expected of social workers
- the applicant has an understanding of the *Code of Professional Practice for Social Care*.

The HEI must also “satisfy itself as to an applicant’s medical fitness and character in terms of their suitability to work in social work”.¹ A self-declaration form must be completed by the applicant to inform this assessment and an enhanced Disclosure and Barring Service (DBS) check is made. As required under *The Approval and Inspection of Degree Courses in Social Work (Wales) Rules 2018*, the HEI:

(3)(c) “must satisfy itself that where the applicant is required to be registered under the Safeguarding Vulnerable Groups Act 2006, the number allocated to that applicant by the Independent Safeguarding Authority has been provided.”

The self-declaration form must cover:

- any criminal history, including information about any cautions, convictions, warnings, reprimands
- if the applicant has been placed on a barring list from working with children and/or adults at risk
- any work-related disciplinary issues
- if the applicant has received care and support from social services

- any health issues that may affect the applicant’s suitability to practise as a social worker.

While institutions will vary in relation to selection processes; any formal offer should include a statement that it is made subject to satisfactory disclosure and barring and health checks.

Information to applicants

HEIs should make sure that applicants know:

- a) the information they provide on the self-declaration form may need to be shared with third parties for verification
- b) the consequences of not disclosing or inaccurately disclosing, information on the self-declaration form
- c) their behaviour outside the social work programme – this includes what happens in their personal lives – can affect their suitability for social work practise
- d) making a declaration won’t automatically make an applicant unsuitable to train as a social worker, however the details and circumstances of what they disclose, or which later come to light, may require investigation under suitability proceedings
- e) any offers made by the HEI are separate to the decisions made by Social Care Wales about an applicant’s suitability to register. Decisions about registration are made on an individual basis, so Social Care Wales could refuse an applicant’s registration even though they have received an offer from a HEI. They won’t be fully accepted onto a social work programme until they have been registered by Social Care Wales
- f) the implications of not being registered with Social Care Wales. For example, not being able to undertake professional training
- g) the appeals and complaints procedures for the programme.

1. *The Approval and Inspection of Degree Courses in Social Work (Wales) Rules*, The Schedule (3) (a)

DBS checks

In between offer-making and the first week of the programme, the HEI should arrange an enhanced DBS check for each applicant.

Any information emerging from these checks that calls an applicant's suitability into question should be investigated and documented, and the offer withdrawn if appropriate and proportionate. The HEI should follow its agreed process if an applicant declares, or a DBS check identifies, convictions or other matters that raise concerns about the applicant's suitability. Employer partners should be part of the decision-making process.

Social Care Wales uses the issues listed by the DBS as a guide when deciding whether to register an applicant.²

HEIs and employer partners should check against these issues when deciding an applicant's suitability, as this will reduce the risk of applicants being accepted onto a programme and then being refused registration.

Health and suitability

In most cases, health conditions and disabilities won't raise suitability concerns provided the student receives the appropriate support and reasonable adjustments necessary to study and work safely in a social work role.

However, programmes do need to be confident applicants can meet the requirements of academic and practice-based learning and the rigour of professional training. HEIs should follow their agreed processes if an applicant declares any health issues that raise concerns about their suitability for social work.

Suitability assessment process

Where the self-declaration form, DBS check and/or other assessment process results in a disclosure of information that is relevant to suitability, the HEI will need to follow their procedures for assessing this. The procedures should be clear, transparent and adhere to relevant legislation.

This process may involve setting up a panel to assess the situation. The panel should include employer partner representatives. If the investigation finds the applicant is suitable, the HEI should make an offer conditional to their registration with Social Care Wales. If the investigation finds the applicant is unsuitable, their application should be rejected because it does not meet the requirements for the programme.

The decision made by the panel should be documented, the information stored safely and shared appropriately. The HEI should make sure the applicant knows about its appeals and complaints process.

HEIs may want to carry out this assessment of suitability when they make an offer, during enrolment and re-enrolment stages in case any circumstances have changed.

Data protection

Programmes must make sure they protect applicants' data and that they comply with the Data Protection Act 2018. They must also make sure applicants are aware of their rights and how their data will be protected.

You can find more information about the act at: www.gov.uk/government/collections/data-protection-act-2018

2. Take a look at the *Registration with Social Care Wales* section on page 7 for more information

Registration with Social Care Wales

Under the Regulation and Inspection of Social Care (Wales) Act 2016, Social Care Wales is responsible for maintaining a Register of social care workers.

After receiving a conditional offer by a HEI, applicants will be invited by Social Care Wales to apply to register via its online portal, *SCWonline*. Once the applicant has completed the application to register, Social Care Wales will assess the applicant's suitability to register.

If Social Care Wales decides the applicant is suitable to register, it will let the applicant know they have been approved, but not yet registered.

The registration process will be completed once the HEI has added the applicant's DBS date to their record in *SCWonline*, indicating the DBS check is satisfactory, and changed their enrolment status to 'enrolled'.

Social Care Wales will then confirm registration is complete.

Issues of conduct

Social Care Wales must consider if an applicant's behaviour, in and outside the workplace, is likely to pose a risk to people receiving care and support.

This is made clear in the *Code of Professional Practice for Social Care*, which states that social care workers must not:

"behave in a way, in work or outside work, which would call into question your suitability to work in the social care profession".³

Having a criminal or disciplinary record won't necessarily stop an applicant being registered. But Social Care Wales must be satisfied that an applicant is suitable to be registered.

In some cases, disclosing a criminal offence may have no bearing on an applicant's suitability to

work in social care. Each case is considered on its own merits, which means it's difficult to give guidelines about the type of offences that will render an applicant unsuitable. Only the most serious cases automatically bar a person from working in social care.

When deciding an applicant's suitability, Social Care Wales will consider:

- a) the relevance of the offence to social care work
- b) the seriousness of the offence
- c) the length of time since the offence
- d) whether the applicant has a pattern of offending
- e) whether the applicant's situation has changed since the offence was committed
- f) the circumstances surrounding the offence
- g) the applicant's explanation for the offence
- h) evidence of rehabilitation or training
- i) evidence submitted by the applicant of their good character
- j) the applicant's commitment to working safely in social care
- k) upholding the trust and confidence of people who access care and support, and carers.

If the HEI receives information from the DBS the applicant has not disclosed, the HEI must immediately let Social Care Wales know and investigate the matter. Social Care Wales will suspend its registration processes until the HEI investigation has finished.

You can contact Social Care Wales's fitness to practice team at ftp@socialcare.wales for advice.

3. *Code of Professional Practice for Social Care*, 2017, page 11, paragraph 5.8

Health conditions⁴

Letting Social Care Wales know about a health condition won't necessarily stop an applicant being registered.

This is the advice Social Care Wales gives to applicants:

"You must tell us about any physical or mental health condition that affects your ability to carry out any role in social care safely. This includes any role you might have in the future.

"By safely, we mean that your physical or mental health condition should not affect your judgement or performance in any way that poses a risk to others."

If an applicant discloses a physical or mental health condition, Social Care Wales may ask them about the condition. It may also ask for their consent to seek a health report from their GP or other health professional who knows about their condition.

Occasionally, Social Care Wales may seek additional advice from other health specialists. If this is necessary, it will write to the applicant for more details and may ask them to complete a questionnaire about their health condition.

Social Care Wales will take account of the nature and severity of the condition and any advice it receives from health experts. Social Care Wales can also appoint a medical adviser, if necessary.

If Social Care Wales registers an applicant with a health condition, reasonable adjustments may need to be made to support the student in college and placement settings. The HEI, student and the student's host agency should discuss and agree any adjustments that might be required. This may need to be informed by an occupational health assessment.



4. The Social Care Wales (Registration) Rules 2018, Rule 7 (1) The application must provide evidence, to the satisfaction of the registrar, that the applicant's fitness to practise is not impaired and shall, in this regard, provide in connection with the application:

(a) where the applicant is a social worker, social care worker or social work student, evidence, to the satisfaction of the registrar, as to the applicant's:
(ii) physical and mental fitness to practise in social work or in the description of social care work in which the applicant wishes to practise;

Recap on responsibilities

The applicant must:

- declare any relevant information as soon as possible and at each stage of the process
- make sure they complete their application to join the Register of Social Care Wales in a timely manner and respond promptly to any queries.
- inform Social Care Wales of any changes that will impact their registration as required under the registration rules⁵

The HEI must:

- comply with the selection and approval criteria set out in the *Approval and Inspection of Degree Courses in Social Work (Wales) Rules 2018*⁶
- make sure privacy notices for social work students are up-to-date and allow for information sharing with Social Care Wales in respect of suitability assessments and investigations
- establish robust admission/selection processes with transparent and fair criteria, and clear procedures for assessing suitability that are publicised appropriately
- arrange for enhanced DBS checks as part of assessing an applicant's suitability to train as a social worker

- inform employer partners and Social Care Wales when criminal convictions or cautions are disclosed or come to light. Suitability issues can arise at any time: before or during the application, before or during the interview, or afterwards. HEIs must have procedures in place to cover all these situations. The HEI must inform Social Care Wales immediately of any issues which may call into question a student's registration⁷
- make sure any health conditions are assessed appropriately (whether this is done via occupational health or GP). If the condition causes concern about a student's ability to practise safely or take part in the programme, the HEI must refer the matter to Social Care Wales
- make sure reasonable adjustments are made to meet the student's needs and that adjustments are in place at the start of the programme or at the earliest opportunity after the student's needs have been assessed
- make sure the student's host agency are aware of these needs.

Social Care Wales must:

- provide appropriate guidance and information to HEIs and applicants about their respective responsibilities
- let the applicant and the HEI know about the possible outcomes of a registration assessment
- process registration applications in a timely manner and update the HEI when further assessment is required on a student application
- let the HEI know about any decisions made by a registration or fitness to practise proceeding regarding the application.



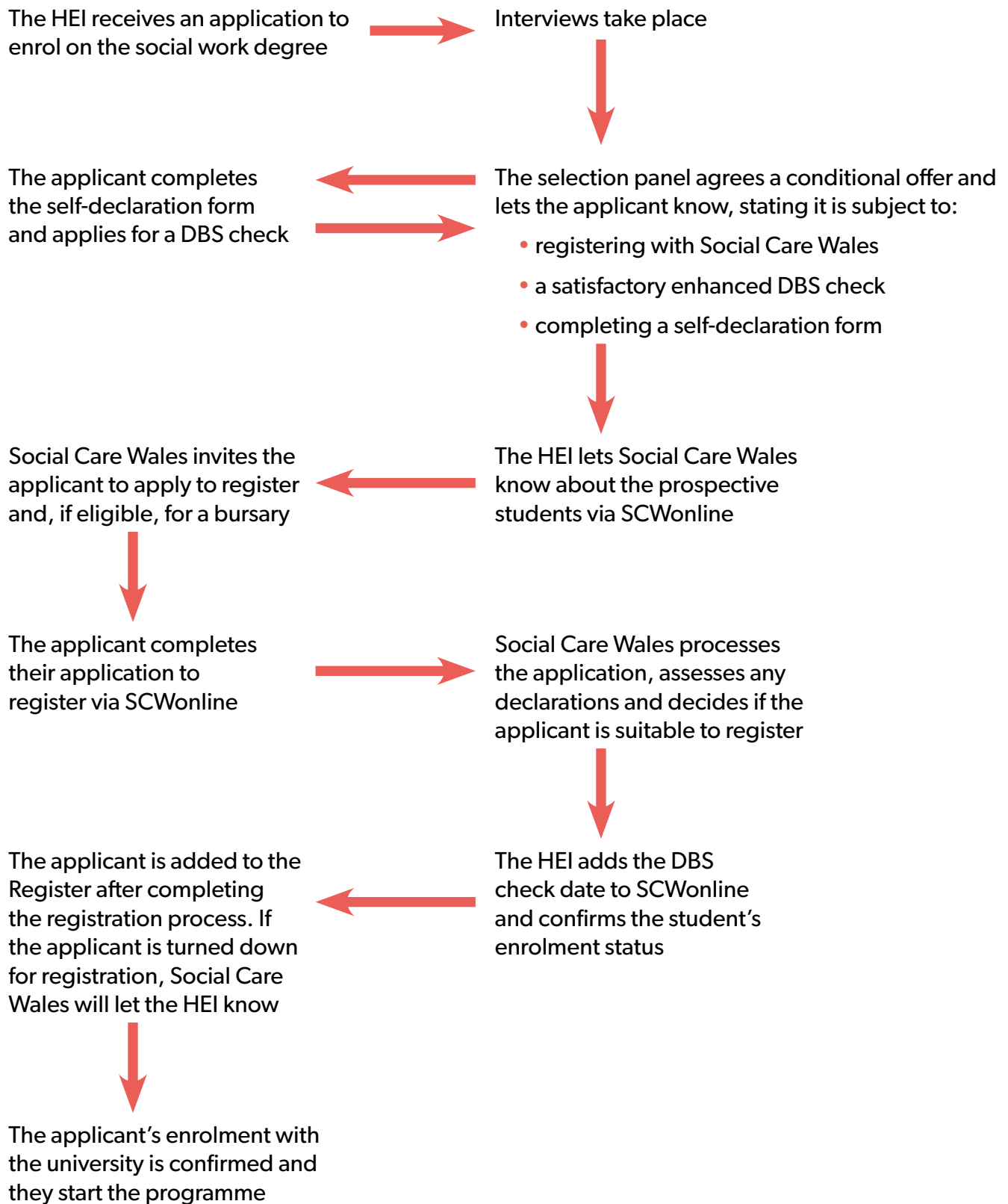
5. The Social Care Wales (Registration) Rules 2018, Part V, Rule 26 (1) A registered person must, as soon as reasonably practicable, inform the registrar in writing or by electronic process, of any changes in the information recorded in the register in respect of that person.

6. *The Approval and Inspection of Degree Courses in Social Work (Wales) Rules 2018, The Schedule – Criteria for the Approval and Quality Assurance of Degree Programmes in Social Work*

7. *The framework for the degree in social work in Wales*, October 2018, page 12, 9 (5) An institution must - (a) immediately notify Social Care Wales of any matter that may reasonably call into question a student's continued registration with Social Care Wales under Section 80 (1) (b) of the Act.

Overview of application process

Roles and responsibilities



Section 2

Suitability issues that arise during qualifying training

HEIs must have suitability procedures in place to investigate any concerns about a student's suitability to train as a social worker. Students should be made aware of these procedures at the start of their training and the criteria for their use.

There is an important difference to be made between concern about professional suitability and questions of academic and practical competence.

- A student's competence is a matter of consideration by an examination board, informed by its practice assessment panel, as applicable. These are issues that sit outside suitability proceedings (academic reasons)
- Concerns about a student's suitability in terms of compliance with the codes of practice or professional misconduct should be subject to suitability procedures (conduct reasons)

A student's suitability may be impaired because of:

- misconduct, including their integrity
- unsatisfactory professional performance
- a conviction or caution or determination by a regulatory body
- problems relating to physical or mental health.
- being included on the barred list maintained by the DBS.

a. Suitability – professional misconduct

Complaints may be made about a student from people with care and support needs, a carer, an employer, a practice learning opportunity provider or a member of the public.

The complaint may be made to the HEI or to Social Care Wales's fitness to practise team. Social Care Wales will refer any complaints it receives about a social work student to the relevant HEI for investigation.

The student's behaviour in any area of their life may be considered relevant to their suitability – including their behaviour in college or practice-based learning settings, work or personal life.

If a previously undisclosed offence comes to light or a student is convicted of an offence, this should be immediately investigated.

If the employer of a seconded student becomes aware of any suitability concerns they should immediately inform the HEI and Social Care Wales. This requirement should be made clear to sponsors at the start of the programme.

b. Suitability – health concerns

When a student makes a disclosure about a health condition they feel is affecting their ability to study and practise, the HEI will need to make an assessment of this self-declaration and ensures the student receives timely support and guidance.

Programmes may use their suitability procedures to consider serious health problems, especially if the condition has implications for safe practice – even if they have received no complaints about the student's behaviour.

In these instances, the HEI will:

- consider the steps the student is taking to manage their health condition
- seek more information about the student's condition and the potential impact it may have on people with care and support needs, and their carers
- give the student an opportunity to show they understand the potential implications of their health condition on people with care and support needs, and their carers
- seek more information about the student's commitment to working safely.

The HEI's role in investigating suitability concerns

It is the HEI's responsibility to investigate any concerns about a student's suitability to train and practise as a social worker.

When an HEI decides to begin suitability procedures, it should let employer partners, sponsors and Social Care Wales's fitness to practise team know. Social Care Wales will normally make a note of this information and await the outcome of the investigation. However, if there are issues of public protection, Social Care Wales may choose to act on the information received.

Suitability procedures should allow the HEI to suspend a student from practice and/or study, where appropriate, and they must let Social Care Wales and any employers sponsoring the student know, if this happens.

While a HEI suitability panel/hearing is not a formal legal procedure, the HEI will be aware of its responsibility to comply with the Human Rights Act 1998, to make sure students:

- are afforded a fair hearing within a reasonable timeframe by an informed, independent and impartial panel
- know and understand the evidence being presented
- are aware they have the right to be represented.

The HEI's procedures will also need to be consistent with the Equality Act 2010.

The HEI should make sure the student knows:

- Social Care Wales will be told the outcome of the investigation and will consider the question of their registration
- Social Care Wales will receive all correspondence and reports relating to the suitability hearing. If necessary, it may further investigate any incidents that affect public safety

- if the student is sponsored, the employer will also be informed.

The student will remain on the Register while investigations take place, but an Interim Suspension or Interim Conditional Registration Order can be imposed if necessary, while suitability proceedings are being undertaken.

The HEI must let Social Care Wales and sponsors know the outcome of the investigation and whether the student is suitable to continue studying on the social work programme.

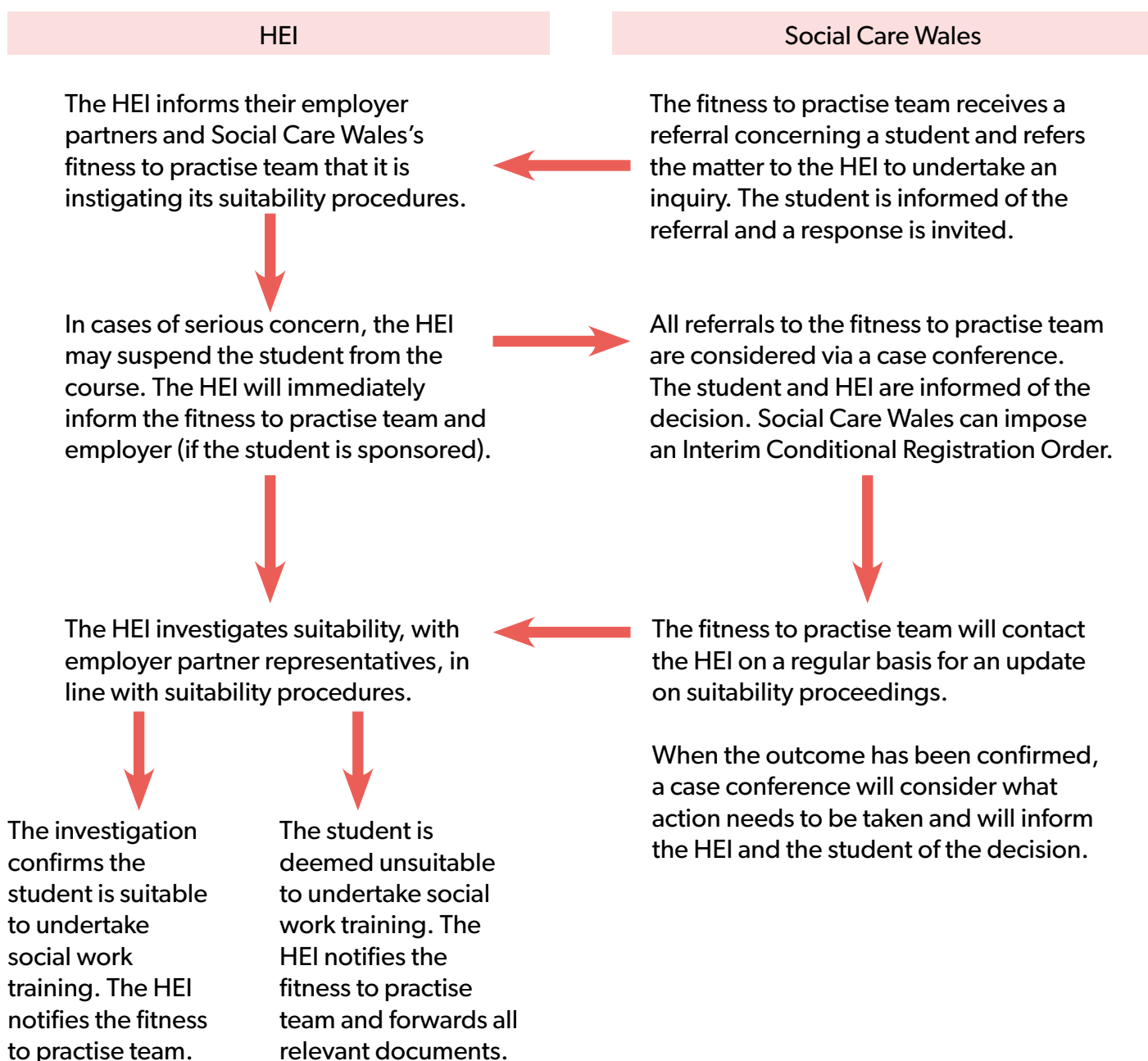
The HEI should clearly record any information about the circumstances, evidence and outcomes of suitability procedures, and pass this information to Social Care Wales.

The HEI should have a clear process that allows the student to appeal against the outcome of a suitability investigation. If a student has been suspended, the suitability procedures should allow for the suspension to continue while awaiting the appeal.



Overview of use of suitability proceedings

Roles and responsibilities



Student withdrawal from programmes

a. If the HEI decides a student is unsuitable to continue on a programme

The HEI must let Social Care Wales's fitness to practise and registration teams know when a student is removed from a programme because of suitability concerns.

The student should be told in writing that Social Care Wales has been informed. If a student is being sponsored or supported by an employer, the employer should also be informed.

The HEI should make sure it keeps detailed and comprehensive records of any suitability proceedings and their outcome. These records will help Social Care Wales investigate if a student is suitable to remain on the Register. They will also help the HEI respond to appeals by the student or an external review.

b. If a student withdraws from a course

Where a student withdraws from a course for academic, health or personal reasons, or no longer wishes to continue training, the HEI must inform the registration team at Social Care Wales. The student will be removed from the Register.

The HEI must advise if a suitability investigation is proceeding or a decision is pending in relation to the student. HEIs are expected to complete the proceedings even though the student is not participating in the programme. The student will remain on the Register pending the conclusion of the investigation/outcome. The fitness to practise team will then consider what action needs to be taken and will inform the student / HEI of the decision.



Recap on responsibilities

The student must:

- let the HEI and Social Care Wales know of any changes to the information they've provided as soon as possible. This includes any disciplinary or criminal matters, or changes to their health that will affect their ability to work safely in social care.

The HEI must:

- establish clear procedures for assessing suitability that are accessible to students
- make sure students are aware their information will be shared with employer partners and Social Care Wales as part of their suitability investigations
- make sure employers know at the start of the programme they must let Social Care Wales know of any suitability concerns about a student they are sponsoring
- let Social Care Wales know when suitability issues arise about registered students
- instigate a suitability investigation if a previously undisclosed offence comes to light or a student is convicted of an offence

- use suitability procedures where issues relating to health raise questions about the continuing suitability of a student for social work
- make sure the student's suitability is reassessed when any new information comes to light. The HEI must consider the information's impact on the student's ability to continue on the programme or to be registered with Social Care Wales
- let Social Care Wales know when a student is no longer enrolled on a programme and the reasons why. The HEI should advise if a suitability investigation is proceeding or a decision is pending in relation to that student
- decide if there's a need to re-apply for an enhanced DBS check if a student returns to study following a long absence and, where appropriate, reapply for a DBS check.

Social Care Wales must:

- provide appropriate guidance and information to HEIs, employers and students about their responsibilities
- let the HEI and student know about any information or referrals it receives about them
- let the HEI know about any decisions made by a registration or fitness to practise proceeding about a student.

The employer must:

- immediately inform the HEI and Social Care Wales when it becomes aware of any suitability concerns about a student.



Section 3

Post-qualifying awards

HEIs approved to offer post-qualifying awards in social work must have processes in place to deal with social workers who are unsuitable to continue post-qualifying training and remain on the Register.

Many HEIs will be able to apply the suitability procedures they have developed for the social work degree. However, there are some differences they will need to consider because of the different status of the students and because the majority are employed.

All post-qualifying students should be registered as a qualified social worker. This can be verified by the Register.⁸ Most will be employed, but the status of their employment will vary. For example, they may be:

- employed by a local authority, an independent provider or a health trust
- working as an agency worker through an employment agency
- working as an independent social worker.

The suitability procedures for post-qualifying students should follow the guidance in section 2 of this document about the criteria for decision-making and principles that underpin suitability investigations. However, there are

some differences in process, and how and when information is shared with employers and Social Care Wales:

- If the student becomes the subject of a serious disciplinary investigation and/or is suspended for reasons of unsuitability, the employer should inform the HEI and Social Care Wales. This applies to all employers of registered social workers
- If concerns about the student's suitability occur on the course, the HEI will inform the employer and Social Care Wales and agree the action to be taken. In some cases –for example, where employers do not consider it their duty to carry out a suitability investigation and let Social Care Wales know – it may be appropriate for the HEI to take independent action under their own suitability procedures and duty of care to the public. Where this is the case, the HEI must inform Social Care Wales and the employer
- If concerns are raised about a student's suitability who is self-employed, the HEI must begin suitability proceedings and let Social Care Wales know. The HEI must also inform any employers it is aware of who may be considering employing, or who may be employing the student privately, or where practice is being assessed.



8. This can be done at: scwonline.wales/en/search-the-register.