The Approval and Inspection of Post Qualifying Courses for Social Workers (Wales) Rules 2018
Contents

Introduction ................................................. 3

Part I
Introduction ................................................. 4

Part II
Approval of programmes ............................... 6

Part III
Review and Quality Assurance ......................... 9

Part IV
Review of decisions ...................................... 13

The Schedule
Criteria for the Approval and Quality Assurance of Programmes ......................... 14

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Other formats:
This document is also available in Welsh. Copies of this document are available in large print or other formats, if required.
Introduction

Social Care Wales was established under the Regulation and Inspection of Social Care (Wales) Act 2016 to promote an integrated approach to social care workforce regulation, workforce development and service improvement through one organisation.

Our aim is to improve the quality of social care and support to the people of Wales. We have a particular role to play in workforce development and are responsible for assuring the quality of social work education.

Social workers in Wales have a central role to play in ensuring the social care and support needs of people are understood and met in a way that promotes their well-being and safety. The Social Services and Well-being (Wales) Act 2014 recognises that staff and their skills are a vital resource; often they are the very best resource we have to offer people.

The professional training of social workers is therefore a key element in preparing professional, competent and confident social workers.

We support this by:

- Developing the workforce: We support the workforce, so they are able to work in ways that are collaborative, effective and grounded in the values of social care, and are open to new ways of working

- Leading and supporting improvement: We use information from data, research and evaluation, as well as inspection and policy, to support our work and the sector to explore and understand the models, practice and workforce skills needed to provide more effective care and support

- Providing public assurance: We regulate the workforce to assure the public that those regulated workers are of good character, confident and competent to provide safe care to the people of Wales and support for their families.

Social workers need access to high quality learning throughout their careers. This is essential to support social workers as they continue to specialise, take on more complex work, take on new roles, practise in new settings, and deal with increasing and changing demands. Social workers are in the front line and need to be able to work with skill, competence and confidence, and alongside other professions.

We have established the standards for the education and training of social workers at qualifying and post-qualifying levels. This document sets out the standards for professional training after initial qualification and comprises the rules governing the approval and regulation of post-qualifying social work programme.

Another separate publication on the requirements for qualifying training of social workers is available.
PART I
Introduction

1. Citation and commencement
These Rules may be cited as the Approval and Inspection of Post Qualifying Courses for Social Workers (Wales) Rules 2018 and shall come into force on 1 April 2019.

2. Interpretation
In these Rules –

“the Act” means the Regulation and Inspection of Social Care (Wales) Act 2016;

“Course” means a programme of learning, consisting of one or more modules, relating to relevant social work for persons who are registered as social workers, conforming to the requirements in the schedule to these Rules;

“CQFW” means the Credit and Qualifications Framework for Wales;

“Designated senior officer” means a senior employee of Social Care Wales duly authorised to act on behalf of the Chief Executive or Registrar of Social Care Wales;

“External examiner” means person external to the course provider, appointed to evaluate or appraise the programme and, this can include external verifiers;

“External verifier” means a person appointed by a recognised body responsible for quality assuring the delivery of a course;

“Module” means a discrete and coherent block of learning which may form part of a programme or stand alone;

“Officer of Social Care Wales” means a member of staff of Social Care Wales or a person duly authorised to act on behalf of Social Care Wales in relation to these Rules;

“Persons who are registered as social workers” mean persons who are registered as social workers with Social Care Wales, the Health and Care Professions Council, the Scottish Social Services Council or the Northern Ireland Social Services Council, or any successor body;

“Programme” means a course, courses or a framework of courses;

“Quality assurance body” means the Quality Assurance Agency for Higher Education or Qualifications Wales or a Department for Education and Skills recognised body;

“Partnership agreement” means an agreement between a learning provider and one or more employers of social workers under which the learning provider will be the programme provider;

“Programme provider” means:
(a) an employer of social workers which delivers or proposes to deliver a programme itself or which has commissioned or proposes to commission a learning provider to deliver a programme on its behalf, or

(b) a learning provider, which delivers or proposes to deliver a programme under a partnership agreement with one or more employers of social workers;

“Recognised body” means:

a) Higher education institutions;

b) DfES recognised awarding organisations; and

c) Organisations recognised to assign and/or award Quality Assured Lifelong Learning credit under the Credit and Qualification Framework for Wales.

“The Register” means the Register maintained by Social Care Wales under Section 80 of the Act, and registration shall be construed accordingly. The Register is divided into Parts covering different descriptions of social care workers;

“The relevant part of the Register” means the part in which social workers are registered;

“Review committee” means a committee of Social Care Wales that has been authorised by it to act as such under Rule 13;

“Specified Named Course” means any other national
course for which the credit level /
value / learning outcomes or assessment has been
specified by Social Care Wales from time
to time;

“Inspector” shall be construed in accordance with
Rule 10.
PART II
Approval of Programmes

3. Applications for Approval

(1) An application to Social Care Wales under Section 114 (1)(a) of the Act for approval of a programme for persons who are social workers must be:

a) made in writing on a form approved by Social Care Wales;

b) by a programme provider;

c) where the programme provider is an employer of social workers which has or proposes to commission a learning provider to deliver a programme, accompanied by details of the relevant learning provider;

d) where the programme provider is not an employer of social workers, accompanied by a copy of the relevant partnership agreement;

e) accompanied by details of the recognised body;

f) accompanied by a fee of such reasonable amount as Social Care Wales may require.

(2) Where a programme has already been approved by Social Care Wales, a programme provider may ask Social Care Wales for consent to modifications under Rule 7 below instead of making an application for approval under this Rule.

4. Consideration of Applications

(1) Social Care Wales will not determine an application unless it is made in accordance with Rule 3.

(2) On receipt of an application, an officer of Social Care Wales may:

a) request further information in respect of any aspect of the application;

b) approve the application;

c) approve the application subject to conditions; or

d) refer the application to a designated senior officer.

(3) An officer of Social Care Wales must approve an application and notify the applicants of that fact in writing where the officer considers that:

i) the requirements of Rule 5 are or (as appropriate) will be satisfied; and

ii) the programme need not be approved subject to conditions.

(4) An officer of Social Care Wales must notify an applicant of the proposed conditions where the officer considers that:

i) the requirements of Rule 5 are or (as appropriate) will be satisfied; but

ii) approval should be granted subject to conditions.

(5) An officer of Social Care Wales must refer the application to a designated senior officer if:

i) the officer considers that the requirements of Rule 5 are not or (as appropriate) will not be satisfied; or

ii) following notification under paragraph 4, the applicant has not agreed to the proposed conditions in writing within 15 days of receipt of that notification.

(6) Following notification under paragraph 4 and where the applicant has agreed in writing to the proposed conditions, an officer of Social Care Wales must approve the programme subject to those conditions and notify the applicant of that fact in writing.

(7) Where the application has been referred under paragraph 5, the designated senior officer must:

a) approve the programme (with or without conditions as he or she thinks fit) if he or she considers that the requirements of Rule 5 are or (as appropriate) will be satisfied; or

b) refuse to approve the programme if he or she considers that the requirements of Rule 5 are not or (as appropriate) will not be satisfied.
The designated senior officer must:

a) notify the applicant in writing of his or her decision;

b) where he or she has refused to consent to the proposed application or has consented with conditions:

i) give his or her reasons for that decision; and

ii) inform the applicant of the right of review under Rule 13.

An applicant’s right to seek review of a decision under Rule 13 must be exercised within 28 days of the date on which notice of the decision is received.

Social Care Wales may at any time require the applicant to provide it with such further information as it may reasonably require for the purposes of considering an application.

Any approval given under these Rules shall have effect from the date specified in the notification of approval given under paragraph 2 or 3 or under Rule 13.

5. Requirements for Approval

The requirements of this Rule are that:

a) the programme and the programme provider do or (as appropriate) will satisfy the requirements set out in the Schedule to these Rules;

b) the module or modules forming part of the programme have been validated by a recognised body; and

c) in the case of a Specified Named Course, that the course, must satisfy the requirements for that course as published by Social Care Wales.

6. Duration and Lapse of Approvals

The approval of a programme given under these Rules shall cease to have effect after a period of five years or if:

a) it is withdrawn under Rule 12 or 13;

b) the programme provider makes a written request to Social Care Wales for the approval to be withdrawn and Social Care Wales accedes to that request; or

c) during any five-year period, no social worker has enrolled on the programme.

7. Modifications

A programme provider shall not make any of the following modifications to a programme without the consent of Social Care Wales:

a) an alteration to the programme specification or any partnership agreement, whether in their original forms as at the date of approval of the programme, or as subsequently modified under this Rule;

b) a material reduction in the ratio of programme resources to social workers undertaking the programme, as that stood at the date of approval of the programme or as it stands having been subsequently modified under this Rule.

An application for consent under this Rule must be made by the programme provider in writing on a form approved for the purpose by Social Care Wales and include such information as may be required by that form.

Social Care Wales will not determine an application unless it is made in accordance with paragraph 2.

On receipt of an application for consent, an officer of Social Care Wales may:

a) request further information in respect of any aspect of the application;

b) approve the application;

c) approve the application subject to conditions; or

d) refer the application to a designated senior officer.

An officer of Social Care Wales must approve an application for consent to a proposed modification and notify the applicants of that fact in writing where the officer considers that the proposed modification:
i) will not impair the ability of the programme provider to satisfy the requirements of Rule 5; and

ii) need not be approved subject to alterations.

(6) An officer of Social Care Wales must notify an applicant of the proposed alterations where the officer considers that the proposed modification:

i) will not impair the ability of the programme provider to satisfy the requirements of Rule 5; but

ii) approval should be granted subject to alterations.

(7) An officer of Social Care Wales must refer the application to a designated senior officer if:

i) the officer considers that the proposed modification will impair the ability of the programme provider to satisfy the requirements of Rule 5; or

ii) the applicant has not agreed to a proposed alteration under paragraph 6.

(8) Following notification under paragraph 5 and where the applicant has agreed in writing to the proposed alterations, an officer of Social Care Wales must approve the application for consent subject to those alterations and notify the applicant of that fact in writing.

(9) Where a reference has been made under paragraph 7, the designated senior officer must:

a) give consent to the proposed modification (with or without conditions as he or she thinks fit) if he or she is satisfied that the proposed modification will not impair the ability of the programme provider to satisfy the requirements of Rule 5; or

b) refuse to consent to the proposed modification if he or she considers that the proposed modification will impair the ability of the programme provider to satisfy the requirements of Rule 5.

(10) The designated senior officer must:

a) notify the applicant in writing of his or her decision;

b) where he or she has refused to consent to the proposed modification or has consented with conditions:

i) give his or her reasons for that decision; and

ii) inform the applicant of the right of review under paragraph 13.

(11) An applicant’s right to seek review of a decision under Rule 13 must be exercised within 28 days of the date on which notification of the decision is received.

(12) Social Care Wales may require the applicant to provide it with such further information as it may reasonably require at any time for the purposes of considering an application for modification.

(13) Any consent to modification given under these Rules shall have effect from the date specified in the notification of approval given under paragraph 4 or 5 or under Rule 13.
PART III
Review and Quality Assurance

8. Provision of Information

(1) A programme provider must provide all candidates with information on the
a) selection process and criteria;
b) modules and awards available in the programme;
c) Welsh Language Policy;
d) procedures for complaints, appeals and Termination of Training.

(2) A programme provider must:
   a) immediately notify Social Care Wales of any matter that may reasonably call into question a social worker’s continued registration with Social Care Wales under Section 80, 1, a of the Act;
   b) provide Social Care Wales with a written report of any evaluation undertaken, or action plan produced, under the arrangements referred to in paragraph 4 of the schedule (equal opportunities, anti-discriminatory practice and the Welsh language);
   c) provide Social Care Wales with a copy of any report produced under paragraph 8 (Quality Assurance) of the schedule to these Rules;
   d) provide Social Care Wales with a copy of any action plan.

(3) The programme provider must provide Social Care Wales with such other information as it may reasonably require for the purpose of considering whether a programme continues to meet the requirements under this rule and Rule 5.

9. Reviews

(1) A programme provider must:
   a) invite Social Care Wales to participate in any review it proposes to undertake as part of the quality assurance process required under paragraph 8 of the schedule and, with the agreement of the responsible quality assurance body any quality assurance review relating to the programme;
   b) where Social Care Wales is to take part in such a review, liaise with it over the timing and methodology of the review;
   c) in the case of a review, address in it such matters as Social Care Wales may require, and permit Social Care Wales to contribute to any report arising from a review in which it has taken part;
   d) provide Social Care Wales with any report or action plan resulting from such a review;
   e) co-operate with Social Care Wales in any review of the programme that Social Care Wales decides to undertake.

10. Inspectors

(1) Social Care Wales may appoint persons (referred to in these Rules as “Inspectors”) to inspect any places or institutions by which or under whose direction:
   a) a programme (or a module which forms part of such a programme) is, or is proposed to be, given; or
   b) any examination is, or is proposed to be, held in connection with any other relevant programme (or a module forming part of such a programme).

(2) No inspector may act as such in relation to:
   a) any place or institution at which he or she regularly gives instruction in any subject; or
   b) any place or institution with which the inspector has such a connection that a fair-minded observer would conclude that there would be a real possibility that he or she would be biased if he or she were to act as an inspector to the place or institution.

(3) Where Social Care Wales arranges for a place or institution to be inspected under this Rule, it must notify in writing the institution concerned of:
   a) the inspector; and
   b) the purpose of the inspection.
Following an inspection, a duly authorised officer of Social Care Wales may request the inspector to provide a draft report on such matters relating to the nature and quality of—

a) the instruction given, or to be given, and the facilities provided or to be provided, by the programme provider (including matters relating to quality assurance processes and programme management) as Social Care Wales may have specified when making arrangements for the inspection or at a later date; and

b) any examination held, or proposed to be held, in connection with any relevant programme as Social Care Wales may have specified when making arrangements for the inspection or at a later date.

Social Care Wales must on receipt of a draft report under paragraph 4:

a) send a copy of it to the programme provider; and

b) notify the institution of the period, being not less than one month from the date of the notification, within which it may make observations on the draft report;

c) having taken into account any observations under paragraph 5, Social Care Wales must prepare a final report and send a copy of it to the programme provider.

Social Care Wales must not take any action under these Rules in the light of the report produced under this Rule before the end of the period specified in paragraph 5, b.

Social Care Wales may pay reasonable fees, allowances and expenses (being allowances and expenses that are similar to those payable to the staff of Social Care Wales) to inspectors who are not treated as members of Social Care Wales’s staff, taking into account the length of any inspection undertaken or to be undertaken, the time taken or likely to be taken to prepare any draft reports and the complexity of the issues to be considered or likely to be considered in connection with the inspection.

Social Care Wales may treat an inspector as a member of Social Care Wales’s staff for the purposes of Schedule 2 to the Act.

11. Focused Investigations

Subject to paragraph 2 Social Care Wales may undertake an investigation (referred to in these Rules as a “Focused Investigation”) into an approved programme in any of the following cases:

a) where it is of the opinion that the programme or the programme provider may no longer satisfy the requirements of Rule 5;

b) where it is of the opinion that the programme is not being provided in compliance with any condition, whether imposed on original approval under Rule 4 or following an application for modification under Rule 7 or following an inspection under Rule 12;

c) where it is of the opinion that the programme provider has failed to comply with any requirement under Rules 8 or 9.

Social Care Wales must give a programme provider 30 days notice of its decision to undertake a focused investigation, and that notice must specify the reasons for the decision, the procedure that the investigation is intended to follow (including whether it is intended to involve scrutiny of documentation and interviews with persons connected with the programme) and the timescale over which it is intended to take place.

The programme provider concerned must assist Social Care Wales in the conduct of the investigation.

Following completion of the investigation, an officer of Social Care Wales must:

a) compile a provisional report of the investigation including the reason why it was undertaken, its conduct and its findings; and

b) provide the programme provider with a copy of the report.

Where the officer of Social Care Wales makes a finding that the programme is in breach of the Rules in regard to any of the matters referred to in paragraph 1 a, b or c, a designated senior officer of Social Care Wales must consider the matters raised by the report and in accordance with paragraph 6.
The designated senior officer must:

a) invite observations from the programme provider concerned about the report;

b) having taken those observations into account, make his or her own finding about the matter or matters in respect of which the relevant finding was made by the officer (and for the purpose of these Rules, where his or her finding concurs with that of the officer, the programme is referred to as being “in breach”); and

c) inform the programme provider of those findings in writing.

Where the programme is in breach, the designated senior officer may, in any of the following circumstances, recommend to the inspection committee that an inspection should take place under Rule 12:

a) where he or she has been unable to agree an action plan with the programme provider to remedy the breach;

b) where he or she is of the opinion that the programme provider has failed to implement such an action plan within a timescale specified by the officer;

c) where he or she is of the opinion that it would not be possible to remedy the breach within an acceptable timescale;

d) where he or she is of the opinion that the programme provider has failed to assist Social Care Wales in the conduct of a focused investigation;

e) and where the Officer has so recommended, he or she must notify the programme provider of that fact and his or her reasons for referral.

The circumstances in which an inspection of an approved programme may be undertaken under this Rule are as follows:

a) following a recommendation under Rule 11, 7;

b) as a result of a review under Rule 9;

c) where the Inspection Committee is of the opinion that there has been a failure to comply with the requirement imposed under paragraph 3, b, ii of this Rule;

d) following the preparation of a final report under Rule 10, 5, c after an inspection.

The Inspection Committee shall:

a) have the function of deciding whether or not an inspection is to take place;

b) if it decides that an inspection is to take place:

i) notify the programme provider in writing of its decision specifying its reasons, the procedure the inspection is intended to follow and the timescale over which it is intended to take place; and

ii) appoint a sub-committee to carry out the inspection, and require that sub-committee to report to it on the inspection; and

c) following receipt of the sub-committee’s report:

i) provide the institution with a copy; and

ii) notify the programme provider of the period, being not less than one month from the date on which the institution received the copy, within which it may submit observations to the Inspection Committee on the report.

Where inspection has take place, the Inspection Committee must:

a) decide, having taken into account the report of the sub-committee and any observations of the programme provider under paragraph 2 c, whether, in its opinion, the programme and the programme provider is or is not meeting the requirements of
Rule 5 and whether the programme is or is not being carried on in accordance with any condition of its approval; and

b) where the Committee makes a finding that the programme is in breach, it may either:

i) withdraw the approval of the programme granted under these Rules; or

ii) impose conditions as to the future conduct of the programme.

(4) The Inspection Committee must notify the programme provider in writing of a decision under paragraph 3, together with its reasons and a statement setting out the programme provider’s right of review under Rule 13.

(5) Where the Inspection Committee makes a decision under paragraph 3, b, the decision shall:

a) have effect 28 days after the day on which the applicant was notified of it if, during that period, the applicant has not referred the decision, in writing, to the Review Committee for consideration under Rule 13; but

b) not have effect if the applicant does so refer the decision, until the review has been determined or abandoned.

(6) The sub-committee appointed under paragraph 2, b, ii must have at least two Members (including at least one officer of Social Care Wales) and may include persons appointed under Rule 13.

(7) No member of a sub-committee appointed under paragraph 2, b, ii may also take part in the proceedings of the Inspection Committee arising from the sub-committee’s report.
PART IV
Review of Decisions

13. Review of Decisions

(1) Upon a reference duly made under Rule 4, 7 or 12, the matter in question shall be considered by a Review Committee which must, in accordance with this Rule:

a) in the case of a reference under Rule 4 (consideration of applications), make one of the decisions referred to in Rule 4, 3, a or b, and for the purpose of this sub-paragraph that Rule shall apply as if any reference to the designated senior officer were a reference to the Review Committee;

b) in the case of a reference under Rule 7 (modifications), make one of the decisions referred to in Rule 7, 5, and for the purpose of this sub-paragraph that Rule shall apply as if any reference to the designated senior officer was a reference to the Review Committee;

c) in the case of a reference under Rule 12 (inspections Directed by the Inspection Committee) make a decision on the matters referred to in Rule 12, 3, a and if it makes a finding as to any of those matters, may make one of the decisions referred to in Rule 12, 3, b.

(2) The Review Committee must:

a) consist of a Chair and two other persons, all of whom must be appointed by Social Care Wales; and

b) on a reference under Rule 12, not include any person who was a member of the Inspection Committee or sub-committee that considered the matter under that Rule.

(3) A Review Committee:

a) must consider the Review within 30 working days of the receipt by Social Care Wales of the programme provider’s written notice referring the matter for review under this Rule, or such longer period as the Committee may reasonably specify before the expiry of the 30 days just referred to;

b) may hear oral or written submissions before making its decision; and

c) must notify the programme provider concerned of its decision within five working days of the day on which it was made and provide it with written reasons for its decision within 20 working days.

Signed on behalf of Social Care Wales
Chair of Social Care Wales
The Schedule – Criteria for the Approval and Quality Assurance of Programmes

1. Partnership Working

(1) The programme provider must enter into at least one partnership agreement with a recognised body, under which each party agrees to provide specified resources in order to support the delivery of at least one module.

(2) The programme provider must involve users of social services and carers in the development and delivery of the programme.

2. Resource Provision

(1) The programme provider must allocate sufficient resources to the course to ensure that:

a) there are sufficiently qualified and experienced persons to provide the requisite learning and assessment, including practice assessment where required, for each candidate undertaking the programme;

b) candidates are able to learn and be assessed through the medium of the Welsh language;

c) candidates have adequate access to appropriate and current learning materials; and

d) all those people involved in the provision of a programme, including users of services and carers, receive induction and ongoing training to enable them to contribute effectively to the programme and update their knowledge and skills in relation to the training of social workers.

3. Selection for the Programme

(1) The programme provider must be satisfied that the following selection requirements are in place prior to a candidate being admitted to a course:

a) all candidates must be a qualified social worker and on the Register of Social Care Wales, the Health and Care Professions Council, the Scottish Social Services Council or the Northern Ireland Social Care Council, (and then be required to remain on the Register in order to obtain an award); and

b) all candidates must have the appropriate academic skills and practice experience for the type and level of programme; and

c) the programme to be undertaken is relevant to the candidate’s needs as defined in the candidate’s Learning Plan.

4. Termination of Training, Equal Opportunities, Anti-Discriminatory Practice and the Welsh Language

(1) As part of its partnership agreement the programme provider must ensure the recognised body

a) promotes and respects equal opportunities and anti-discriminatory practice in all aspects of programme delivery including (but not limited to):

i) the recruitment of staff for the purposes of the programme;

ii) the selection of candidates for the programme;

iii) the delivery of the programme; and

iv) the assessment of candidates undertaking the programme.

b) has and publicises an equal opportunities policy, an anti-discriminatory practice and a Welsh language policy that reflect legal requirements and the requirements of these Rules.

c) has procedures for Termination of Training.

d) uses its best endeavours to protect any person connected with the delivery of the course from mistreatment in any form.

5. Modules

(1) The programme provider must show that each module comprising or forming part of a programme:

a) has a statement of the level and of the module as defined by the CQFW;

b) has a statement of CQFW credit value of the module as defined in the CQFW;
c) reflects current research and evidence, the service user and carer perspective, current legislation, current policy and the interprofessional context, the Code of Professional Practice for Social Care and reflects the characteristics and needs of Wales, its languages, culture, geography, and institutions;

d) has a statement of learning outcomes, in terms of knowledge and skills which reflects the generic level descriptors as defined in the CQFW;

e) a statement of assessment methods, showing how assessment is relevant to practice and appropriate to the learning outcome;

f) an indication of which of the National Occupational Standards are relevant to the module;

g) an indication as to which award framework(s) if any the module relates; and

h) in the case a Specified Named Course, meet the learning outcomes as published by Social Care Wales from time to time in relation to that course.

7. Assessment

(1) The programme provider must show that the assessment and examination processes are approved by one or more recognised body.

(2) In the case a Specified Named Course, meet the requirements for assessment as published by Social Care Wales from time to time in relation to that course.

8. Quality Assurance Requirements

(1) The programme provider must ensure the recognised body has quality assurance systems to monitor and evaluate all aspects of its provision, and to take action to remedy any deficiencies.

(2) Without prejudice to the general requirement in sub-paragraph 1 the programme provider must ensure that under the quality assurance systems it will:

a) appoint appropriate persons external to the course provider to evaluate or appraise the programme;

b) require such persons referred to in sub-paragraph a. above to produce an annual report on the results of their evaluation; and

c) ensure that all persons involved in the programme, including candidates, have access to complaint, whistle-blowing and appeals procedures, and that these procedures are adequately publicised and transparent.

(3) The programme provider must agree to provide Social Care Wales with any quality assurance information required from time to time, and to comply with any arrangements for review or inspection.

9. Accreditation of Prior Learning

(1) Programme providers must ensure the recognised body has arrangements in place to recognise credit gained through other programmes approved under these Rules.