

Social Work England – Consultation on amendments to our rules

The Scottish Social Services Council is the regulator for the social work, social care and early years workforce in Scotland. Our work means the people of Scotland can count on social services being provided by a trusted, skilled and confident workforce.

We protect the public by registering social service workers, setting standards for their practice, conduct, training and education and by supporting their professional development. Where people fall below the standards of practice and conduct we can investigate and take action.

We:

- publish the national codes of practice for people working in social services and their employers
- register people working in social services and make sure they adhere to the SSSC Codes of Practice
- promote and regulate the learning and development of the social service workforce
- are the national lead for workforce development and planning for social services in Scotland
- are an ONS statistics provider.

Consultation questions

1. Do you think the changes to the rules we have proposed will streamline our processes and are proportionate?

The SSSC believes that the proposed changes will streamline SWE's processes and that they are proportionate.

2. Do you think there are any other amendments to Social Work England's rules (which do not also require amendments to our regulations) that could be made to better support our regulatory processes?

N/A

3. To what extent do you agree that using legally qualified chairs will streamline and better support our fitness to practise meetings and hearings?

The SSSC agrees that the use of legally qualified chairs will achieve the stated aims. The SSSC introduced legally qualified chairs in 2017 and we have found that their introduction has streamlined our

fitness to practise process. Our experience has shown that legally qualified chairs provide legal advice during hearings without the need to adjourn for advice to be sought. They are part of the decision-making process and responsible, with their fellow panel members, for the decisions made by the panel. The average length of time between first hearing day and last hearing days for Impairment Hearings and Temporary Order hearings has reduced since the introduction of legally qualified chairs (up to end of 2021).

4. Do you think we should appoint legally qualified chairs for all meeting or hearings, or should this be reserved for certain types of meeting/hearings?

The SSSC would support the use of legally qualified chairs for all hearings. The SSSC introduced legally qualified chairs for all hearings and our experience has shown that the benefits of having legally qualified chairs apply equally for all types of hearing.

5. Do you think there is anything else we should consider when using our power under rule 33?

The SSSC would only reiterate that our experience of the use of legally qualified chairs in fitness to practise hearings has been positive. We would be happy to liaise further with SWE should further discussion be of assistance.

6. Do you think that the changes to the rules could impact any persons with a protected characteristic? If so, is it positively, or negatively, and how? The Equality Act (2010) lists nine protected characteristics: age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage and civil partnership and pregnancy and maternity.

The SSSC do not see that the changes proposed have the potential to impact individuals on the basis of their protected characteristics.

7. Any other comments you might have

N/A

Scottish Social Services Council

May 2022