

**Department for Business, Energy and Industrial Strategy:
Consultation on Regulations to Implement Chapter 12 of the Free
Trade Agreement between the UK and Norway, Iceland, and
Liechtenstein**

The Scottish Social Services Council is the regulator for the social work, social care and children and young people 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 the social work, social care and children and young people's workforce, 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

Initial Questions

1. Please name your organisation and briefly outline your role.

The Scottish Social Services Council

Policy Analyst

2. Is your organisation:

- a. A national regulator, covering the whole UK [National Authority Survey Section]**
- b. A regulator covering one or several (but not all) of the nations of the UK [National Authority Survey Section]**

- c. A Local Authority [Local Authority Survey Section] Another sub-national authority (such as a port health authority) [Local Authority Survey Section]**

The Scottish Social Services Council is a regulator covering one of the nations of the UK, namely Scotland.

National Authority survey

This section is about your routes or processes for the recognition of professional qualifications from Norway, Iceland and/or Liechtenstein.

3. Which profession(s) does your organisation regulate? Please add on separate lines all professions regulated by law for which your organisation is responsible. Some examples of these are listed in Annex II of the consultation document.

We are the workforce regulator for social work, social care and children and young people services in Scotland.

4. You may currently have an application route or process for professionals from Norway, Iceland and Liechtenstein (along with EU member states) under the 2015 Regulations. These will be revoked in December 2023. The following section seeks to understand what existing processes you might currently have outside of the 2015 Regulations. Aside from processes/routes for recognition of professional qualifications that depend on the 2015 Regulations, does your organisation currently have other processes/routes in place for applicants with qualifications from Norway, Iceland and/or Liechtenstein, such as a general registration process/route open to applicants from any country? A 'process/route' to 'recognise a professional qualification' is the process for handling applications from individuals with professional qualifications gained overseas and granting them permission to practice in the UK without requiring the individual to re-qualify in the UK or undertake mandatory training. It could be automatic or on a case-by-case basis and could include additional requirements such as aptitude tests.

- a. Yes**
- b. No**
- c. Not sure**

Yes

5. [If regulates more than one profession at Q3] If this differs among the professions you regulate (i.e., if you only have other

processes/routes with these countries for some professions but not others), please explain below.

N/A

6. [If Q4a] Please provide details, including whether you have any ongoing plans to make changes to these processes/routes before the 2015 Regulations are revoked in December 2023 (other than to specifically comply with the UK-EEA EFTA Agreement).

We have no plans to make changes to our processes before the 2015 regulations are revoked, other than those required to ensure continued compliance with the UK-EEA-EFTA agreement.

7. [If Q4b] Do you already have any ongoing plans to introduce other processes/routes available to applicants with qualifications from Norway, Iceland and/or Liechtenstein (other than to specifically comply with the UK-EEA EFTA Agreement), before the 2015 Regulations are revoked in December 2023?

- a. Yes (please provide details)
- b. No
- c. Not sure

No

8. This section seeks to understand whether your existing processes/routes for recognition of professional qualifications (other than those that depend on the 2015 Regulations) already meet the terms of the UK-EEA EFTA Agreement (such as having an appeals process, allowing online payments, etc.). If they do not, we would like to understand whether you currently have the legal powers to introduce a new process/route which does. You may wish to read the 'FTA Provisions – Requirements on Relevant Authorities' section of the consultation document. For each of the articles of the UK-EEA EFTA Agreement listed below, please select which statement best describes your position for your existing processes/routes for recognition of professional qualifications (other than those that depend on the 2015 Regulations, as these will be revoked in December 2023).

	Our legislative powers are sufficient to implement this part of the UK-EEA EFTA Agreement and we have processes/routes already meet the terms	Our legislative powers are sufficient to implement this part of the UKEEA EFTA Agreement but we will need to make changes to processes/routes	Our legislative powers are not sufficient to implement this part of the UKEEA EFTA Agreement	Not sure
Article 12.5 – Conditions for Recognition	X			
Article 12.6 – Compensatory Measures	X			
Article 12.7 – Procedure for Applicants	X			
Article 12.8 – Licensing and Other Provisions	X			
Article 12.9 – Knowledge of Languages	X			
Article 12.10 – Appeals	X			
Article 12.11 – Fees	X			

9. [If regulates more than one profession at Q3] If this differs among the professions you regulate, please explain below.

N/A

10. [If legislative powers are sufficient in relation to any article at Q8] Which of your legislative provisions (i.e., name of legislation and provision in legislation) will provide you with the powers to implement this part of the UK-EEA EFTA Agreement once the 2015 Regulations are revoked?

Professional Qualifications Act 2022

11. [If legislative powers are not sufficient in relation to any article at Q8] You have told us that your legislative powers are not

sufficient to implement the article(s) below of the UK-EEA EFTA Agreement. We have drafted the attached regulations which intend to give regulators additional powers so that they can implement the UK-EEA EFTA Agreement. Please have a look at the draft regulations. Would the draft regulations be sufficient to implement the article(s) below of the UK-EEA EFTA Agreement?

- a. Yes
- b. No (please explain why not)
- c. Not sure

[Go to 'Implementing the Agreement' Section]

N/A

Costs (to all)

The next section seeks to understand the current level of demand for recognition of professional qualifications from professionals from Norway, Iceland and Liechtenstein.

24. In 2022, approximately how many applications for the recognition of professional qualifications did you receive from professionals qualified in Norway, Iceland and/or Liechtenstein?

- a. None
- b. Between 1 and 5
- c. Between 6 and 10
- d. Between 11 and 20
- e. Between 21 and 30
- f. Between 31 and 40
- g. More than 50
- h. Not sure

Between 1 and 5 (b.)

25. Do you anticipate any changes in the annual number of applications from professionals qualified in Norway, Iceland and/or Liechtenstein under the UK-EEA EFTA Agreement?

- a. We anticipate an increase in applications
- b. We don't anticipate a change
- c. We anticipate a decrease in applications
- d. Not sure

We don't anticipate a change (b.)

26. In a previous question you have told us that you need to make changes to processes/routes for recognition of professional qualifications in order to meet the terms of the UK-EEA EFTA

Agreement. The next section seeks to understand any one-off costs you expect to incur as a result of making these changes, such as staff time to develop a new process/route, training costs, or administrative costs to update information on your website. [If legislative powers are not sufficient OR are sufficient but require changes at Q8 and Q18] Please estimate below any one-off costs you expect to incur as a result of making these changes to processes/routes in order to meet the requirements set out in the UK-EEA EFTA Agreement.

N/A

27. The next section seeks to understand any ongoing costs (e.g. on an annual basis) you incur as a result of making changes to processes/routes in order to meet the requirements set out in the UK-EEA EFTA Agreement, such as from processing applications, or further regular updates to information.

We would like to understand the ongoing costs of the existing processes/routes as they currently are (so, before you make changes – if changes are needed - in order to comply with the requirements set out in the UK-EEA EFTA Agreement).

Please estimate below how much you currently spend annually in ongoing costs on these existing process/routes for recognition for professional qualifications.

N/A

28. [If legislative powers are not sufficient OR are sufficient but require changes at Q8 and Q18] Please now estimate how much additional spend (on an annual basis), if any, you will need to spend on ongoing costs to adapt or introduce new routes/processes to meet the requirements set out in the UK-EEA EFTA Agreement. For example, because of the additional requirements for an appeals process.

Please note this should not include costs incurred from your current system.

N/A

29. The next section seeks to understand any changes to fees you may make as a result of changes to processes/routes for professional recognition in order to meet the requirements of the UK-EEA EFTA Agreement and to what extent these fees will cover your costs. Approximately how much do you currently charge to professionals applying to seek recognition of their qualifications from Norway, Iceland and/or Liechtenstein, per application, under

your existing processes (other than those that depend on the 2015 Regulations), if applicable. Please provide a range if this varies by country.

We currently charge a fee of £320 for the assessment of qualifications and £80 to cover registration fees.

30. [If legislative powers are not sufficient OR are sufficient but require changes at Q8 and Q18] Do you intend to change the amount you charge per application under any new or adapted process/route (so, as a result of changes to processes/routes in order to comply with the requirements of the UK-EEA EFTA Agreement)? If so, please provide an estimate (£) of the new fee per application. Please provide a range if this varies by country.

- a. Yes (please specify)
- b. No
- c. Not sure

N/A

31. [If legislative powers are not sufficient OR are sufficient but require changes at Q8 and Q18] To what extent do you think the fees you intend to charge to applicants (for the new or adapted processes/routes) covers the costs you will incur under the new regulations in the UK-EEA EFTA Agreement?

N/A

32. As a result of implementing the UK-EEA EFTA Agreement, do you anticipate any benefits regarding implementing the draft regulations for recognising professionals qualified in Norway, Iceland and/or Liechtenstein (as a result of any changes you might need to make or anything else)? If yes, please outline these below, including whether they are one-off or ongoing benefits.

N/A

Final Questions (to all)

33. Do you have any comments relevant to this consultation that were not covered in the previous questions?

N/A

Scottish Social Services Council

March 2023