

Making It Happen

Registration of Voluntary Sector

Social Care Workers

A Handy Guide for Employers





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Making It Happen Team

Produced by: **Northern Ireland
Social Care Council**

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Introducing the guide

This guide has been produced in response to requests from voluntary sector employers for easily accessible guidelines on the key steps they need to take to prepare their agencies and staff for registration with the Northern Ireland Social Care Council (NISCC). Registration will commence on 1st April 2003 for certain groups of staff and eventually be mandatory for all social care workers. This guide will:

- Outline employers' responsibilities in relation to registration and meeting the NISCC's Code of Practice for Employers,
- Offer checklists by which you can readily identify gaps that may need to be addressed in preparing for registration,
- Offer tips and suggestions to help you address the gaps,
- Suggest other resources that may be of assistance to you in developing your systems, policies and processes, and
- Provide answers to the most frequently asked questions from voluntary agencies.*

The Guide was produced in consultation with staff from 10 voluntary agencies who worked together with NISCC staff over a three-month period to identify the practical realities of implementing registration and the codes in this sector. We hope that our advice and suggestions, grounded in our experiences of managing voluntary agencies, will help you to "*Make Registration Happen*" in your agency.



***Warning!** This guide was written at a time when many of the arrangements for registration were being set in place – the information was correct at the time of going to print but may be subject to change over time. Check with the NISCC if you are in any doubt.

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Making It Happen project team

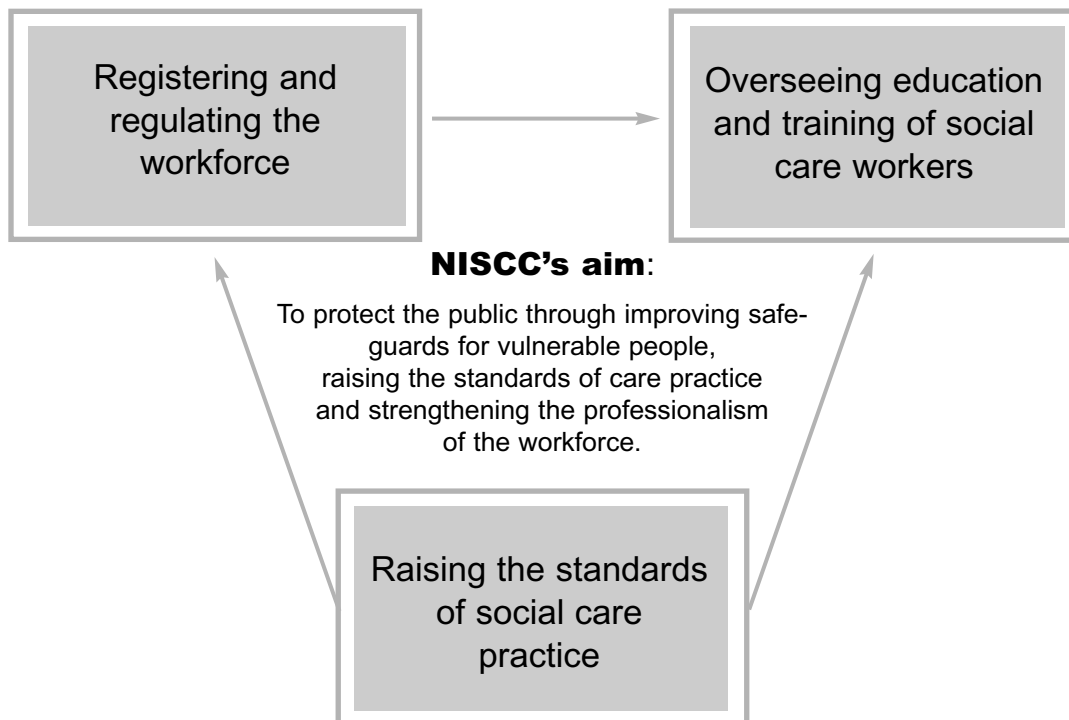
- Barnardos
- Belfast Central Mission
- Bryson House
- Extern Organisation
- Glenmona Resource Centre
- NSPCC
- Positive Futures
- Presbyterian Board of Social Witness
- Salvation Army
- SSAFA

In consultation with NISCC and Siobhan Bogues (Project Manager)

Setting the scene

Role of the NISCC

The NISCC came into existence on 1st October 2001 as part of Government initiatives to raise the quality of social care services.



While the main aims of the NISCC's work are to protect the public and improve services to users, it is anticipated that a key outcome will be improved morale and status of the social care workforce.

NISCC's approach to registration

As a first step in preparing for registration the NISCC has produced two codes of practice which set standards which employers and staff are expected to meet.



Both codes are contained in the **Resources Section** of this guide.

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The employee's code will provide the tool by which the NISCC will decide whether staff are suitable to work in social care services. Another new body, the Health and Social Services Regulation and Improvement Authority (HSSRIA), will monitor the compliance of organisations to the employer's code. HSSRIA, which will replace the current four Registration and Inspection Units and take on additional functions, will want to see evidence that employers are meeting the standards in the Code.

From 1st April 2003 the NISCC will open a register for social care workers. Owing to the massive number of staff to be registered the DHSSPS has identified groups of staff who are priority for registration in the first phase (see below for further details). When staff are registered the NISCC will be in a position to receive complaints about poor practice from members of the public, service-users, staff or employers. The NISCC has the power to investigate all complaints received and to set up hearings where appropriate to formally consider the complaints. In very serious situations the NISCC can remove someone from the register or suspend registration for a period of time.



Refer to the Rules published by the NISCC on how investigations will be handled.

The Rules can be found on the NISCC website www.niscc.info

Priority groups for first phase registration (from 1st April 2003)

- Everyone who has a social work qualification.
- Everyone in a designated social worker post.
- Team leaders in residential child care.
- All care staff in residential child care
- All heads of residential care homes and day care who are not registered with other regulatory bodies.

Scope of registration

In order to consider the implications for your agency you need first to decide whether your employees come within the scope of the NISCC's activities. This will not be the case for many voluntary agencies or community groups who do not employ social care workers.



The legislation is the *Health and Personal Social Services Act (Northern Ireland) 2001*.

Who is a social care worker?

A social care worker is defined in law as:

- A social worker
- A person who works in a:
 - Children's Home
 - Nursing Home
 - Day Care Setting
 - Residential Family Centre
- Is a manager of the above

In addition the DHSSPS may choose to designate the following staff as social care workers by bringing forward regulations at a future date:

- Employees of Health and Personal Social Services Boards and Trusts,
- A person providing personal care,
- A person managing the provision of personal care,
- A person providing services similar to Boards and Trusts,

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- Inspectors of children's homes,
- Student social workers,
- A person engaged in relevant social work (in connection with health, education, probation or personal social services).

If you do not employ paid staff in any of these categories it is likely that you do not need to take any action at this stage, although you may find it of interest to read the Code of Practice for Employers, which provides a useful summary of good employment practice in social care settings.

It will take some years for all of these groups of staff to be registered. From 1st April 2003 the Register will only be open for the following paid staff:

- Those with a social work qualification,
- Those in a designated social work post,*
- Team leaders and residential staff in child care,
- Managers of residential care homes and day care not already registered with another regulatory authority.

If you do not employ staff in the above groups registration will not apply to your staff for at least one year and you therefore have a longer time to prepare for registration.

The diversity of services provided by voluntary agencies has led to some uncertainty as to who will fall in the priority groups.

The Frequently Asked Questions overleaf will assist you in deciding if your staff are eligible.



* A post for which a social work qualification is essential.

Registration: Frequently asked questions

We only work with volunteers – should we register?

No – for the foreseeable future registration only applies to paid staff.

I employ staff in the priority groups who are on the Nursing Register – will they also have to register with the NISCC?

No – dual registration is not required in Northern Ireland.

We provide residential support but the service is not registered with the Registration and Inspection Unit – do our managers still have to register?

Yes – it is not relevant whether Registration and Inspection registration is in place – if your service provides social care in a residential setting the managers must register with the NISCC.

We provide respite holidays for children in a residential centre – is registration relevant to us?

Yes if you employ paid staff.

Does the requirement to be registered apply to staff in Housing with Care Schemes for older people who are not registered with the Registration and Inspection Units?

Yes. The managers would need to be registered with the first priority groups from 1st April 2003. If any staff with a social work qualification are employed they would also need to be registered.

I am a Chief Executive and hold a social work qualification. The social work qualification is not a requirement of my post. Must I register?

No, although you could choose to register. Registration may be advisable if you foresee a return to a social work post in the future for which registration will eventually be mandatory.

You may still have queries about the eligibility of your staff – if so do not hesitate to contact the NISCC to clarify your position.

NISCC contact details

Director of Registration

Northern Ireland Social Care Council

7th Floor

Millennium House

19-25 Great Victoria Street

BELFAST BT2 7AQ

Tel: 028 9041 7600

Fax: 028 9041 7601

Email: info@niscc.n-i.nhs.uk

Website: www.niscc.info

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Recruitment, selection and performance management

STANDARD 1

You must make sure people are suitable to enter the social care workforce and that they understand their roles and responsibilities.

This means you must...

- Have rigorous recruitment and selection processes,
- Check criminal records and relevant registers,
- Assess whether people are capable of carrying out the duties of the job before appointment,
- Seek and provide reliable references,
- Give clear information about staff roles/responsibilities, etc,
- Manage staff performance.



The full text for the **Employers Code** is contained in the **Resources Section**.



(see over)
A full checklist covering all the standards is in the **Resources Section**.

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STANDARD 1 – Checklist

What you need to do	Comments	Action needed
<p>Have rigorous recruitment and selection processes to include arrangements for:</p> <ul style="list-style-type: none">• Criminal records checks,• Checks of relevant registers eg PECS and List 99,• Securing and providing reliable references.		
<p>Have in place arrangements for providing information to staff on their roles and responsibilities, relevant legislation, organisation policies and procedures.</p>		
<p>Have systems in place for managing the performance of staff.</p>		

Tips from the Making It Happen team

- Application forms should include reference to registration requirements eg:
 - applicants will be required to co-operate in securing registration with the NISCC where it is necessary.
 - are you registered with a regulatory body?

Name of Body

Date of Registration

PIN Number

- Person Specifications and Job Descriptions will need to be amended to refer to registration where relevant. This may include:
 - statement of employers' expectation that the applicant will either be registered with the NISCC or will secure registration within a fixed period of time.
- Ensure that your organisation has clear guidelines in place for both providing and securing reliable references and securing the relevant checks. The guidelines may include:
 - a pro-forma that ensures all the relevant questions are asked of referees,
 - a very clear statement that those responsible for staff appointments must rigorously check references and in particular require that acceptable reasons are provided for gaps in employment history,
 - additional process for checking that eligible staff are registered with the NISCC,
 - systems to ensure that dates on PECS returns are checked against the application form to ensure that details match.

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- You may wish to review contracts of employment for staff and posts that are eligible for registration
 - to include reference to your organisation's duty to inform the NISCC of serious complaints or concerns about staff practice,
- include the requirement that staff members sign up and adhere to the NISCC's Code of Practice for Social Care Workers.
- In order to meet your duty to provide clear information to staff on their roles, legislation etc you may find it helpful to develop an information pack for new staff that covers all areas referred to in this section of the Employers Code.
- Systems for effective staff management need to be in place and should include policies on supervision, appraisal and handling poor practice



See **Resources Section** for a list of available policies.

The Making it Happen Team recognises that for most voluntary agencies these policies and systems are already in place and will just require some fine-tuning. However, in order to assist organisations that may need to develop new policies a number of agencies in the Making it Happen Team have supplied copies of their policies. They have been anonymised and may be viewed for reference at the NISCC office. (*Telephone 028 9041 7600 to make an appointment to review the policies.*)

Standard 1: Frequently asked questions

Do we need to issue new contracts of employment to include registration as a requirement?

Human Resources personnel are currently considering adding a paragraph to new contracts which states that employees will need to be prepared to register with the NISCC as and when required.

What happens if current staff refuse to register?

When a substantial number of social care workers are on the register legislation will be commenced to include the protection of the social work title. This means no-one will be able to work as a social worker unless they are registered on the social work part of the register.

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Policies and procedures

STANDARD 2

You must have written policies and processes in place to enable social care workers to meet the NISCC's Code of Practice for Social Care Workers.

This means you must...

- Implement and monitor written policies on a range of issues*,
- Effectively manage and supervise staff,
- Have systems in place for staff to report inadequate resources or operational difficulties,
- Support staff to meet the Code of Practice for Social Care Workers,
- Not require staff to do anything that would put their compliance with that code at risk.



Refer to the **Resources Section** for the ***Social Care Workers Code***.



*Refer to ***Employers Code Section 2.2*** for detailed list of required policies.

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Standard 2 – Checklist

What you need to do

Have policies on:

- Confidentiality,
- Equal Opportunities,
- Risk Assessment,
- Substance Abuse,
- Record Keeping,
- Acceptance of Money or Gifts from Users or Carers,
- Supervision and performance management including arrangements for staff appraisal.

Comments

Action needed



(above)

A photocopy of the full checklist for all the standards is contained in the **Resources Section** should you wish to do a complete audit of your organisation.

Tips from the Making It Happen team

- Audit your current policies against the checklist provided.
- Consider whether current policies need to be revised to take account of registration and the Codes of Practice.
- Consider if and how the standards provided for registered staff in the Social Care Workers' Code of Practice will be expected of non-registered staff.
- If you identify gaps in your policies or wish to check how your policies compare with those in other organisations contact the NISCC to arrange an appointment to review the policies provided by Making It Happen Team organisations.

Standard 2: Frequently asked questions

If only registered staff need to adhere to the Code of Practice won't that create an inequity?

The Code of Practice outlines good standards of conduct which should apply in many jobs. Many employers are now integrating the NISCC code within their agency codes and using them as the standards expected for all staff.

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Staff training and development

STANDARD 3

You must provide training and development opportunities to enable social care staff to strengthen and develop their skills and knowledge.

This means you must...

- Provide induction and training to staff,
- Contribute to the provision of social care training,
- Support staff to meet the NISCC's eligibility criteria for registration and requirements for continuous professional development,
- Respond appropriately to social care workers who seek assistance because they feel unable to carry out their work.



Refer to **Resources Section** for the for a copy of **TOPSS Induction Standards** which apply in England. These are a useful example of entry level Induction standards.

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Standard 3 – Checklist

What you need to do

- Provide induction training for staff,
- Provide opportunities for staff for continuous professional development,
- Provide effective workplace assessment and learning.

Comments

Action needed

Tips from the Making It Happen team

- In order to support staff to meet the eligibility criteria for registration you will need to firstly audit your current staff group and identify who is eligible for registration in the first phase.
- Then you will need to check if they meet the eligibility criteria. At this stage the NISCC has set the following eligibility criteria for these groups – either they should have a professional social work qualification or they must evidence that they have been inducted into their post.
- Review the TOPSS induction standards and consider whether they might assist you in streamlining your current induction processes.



A list of approved courses is in the **Resources Section**.



In England common induction standards have been in place since April 2002 and resources have been developed to assist employers develop effective induction support – refer to the **Resources Section**.

Standard 3: Frequently asked questions

What is CPD?

CPD is Continuous Professional Development and has been defined as “the systematic maintenance, improvement and broadening of knowledge and skill and the development of personal qualities necessary for the execution of professional, technical or other duties throughout the individual’s working life.”

(Best Practice-Best Care, DHSSPS).

What form does the NISCC expect CPD to take?

The NISCC will expect all social care workers to undertake CPD in the three-year period between registration and re-registration. A working group with representatives from across the UK has been established to identify what form the CPD should take and consultation will take place with registrants on this issue at a later date.

What does provide effective work place assessment and practice learning mean?

This refers to the development of a learning culture within organisations in the broadest sense. Where possible organisations are encouraged to provide assessment opportunities for staff in order to enable them to attain required qualifications.

Dealing with poor practice

STANDARD 4

You must put into place and implement written policies and procedures to deal with dangerous, discriminatory or exploitative behaviour and practice.

This means you must have...

- Systems to deal with bullying, harassment and unjustifiable discrimination,
- Systems for staff to report dangerous, discriminatory, abusive or exploitative behaviour,
- Systems for dealing with all such reports,
- Policies for minimising the risk of violence and managing violent incidents,
- Policies for supporting staff experiencing trauma or violence in work,
- Staff welfare and equal opportunities policies,
- Systems for assisting staff whose work is affected by ill health or dependency on drugs or alcohol.

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Standard 4 – Checklist

What you need to do

Have policies and procedures on:

- Bullying,
- Harassment,
- Discrimination,
- Violence in the workplace,
- Staff welfare,
- Support and guidance to staff whose work is affected by ill health, alcohol or drug dependency,
- Whistle-blowing.

Comments

Action needed

Tips from the Making It Happen team

The guidance contained in this section describes good practice in employment matters and such policies are already in place in many voluntary agencies. If you feel there may be gaps in your arrangements you may find it helpful to:

- Consult the set of policies provided by the Making It Happen team by contacting the NISCC to arrange an appointment to view them and/or,
- Consult the websites detailed in the Resources Section of the Guide which include additional template policies and guidelines from other agencies on staff welfare issues.

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Working with the NISCC

STANDARD 5

You must promote the NISCC's Codes of Practice to social care workers, service users and carers and co-operate with the NISCC's proceedings.

This means you must...

- Ensure social care workers, service-users and carers are aware of the Codes of Practice,
- Inform service-users/carers how to raise issues with you or the NISCC,
- Take account of the Codes in making any decision relating to conduct of workers,
- Inform the NISCC about staff misconduct that might call into question their registration,
- Inform the worker that a report has been made to the NISCC,
- Co-operate with NISCC investigations and hearings and respond appropriately to their findings and decisions.

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Standard 5 – Checklist

What you need to do

- Develop systems to inform service users/ carers and staff about the Codes,
- Revise performance management systems to take account of the Codes in making decisions about staff conduct,
- Establish systems for informing NISCC about misconduct that calls registration into question,
- Establish systems for informing staff that a report is being made to the NISCC,
- Review disciplinary and complaints processes to take account of NISCC requirements.

Comments

Action needed

Tips from the Making It Happen team

- The implications of involvement by the NISCC in conduct investigations gave rise to much concern among the Making It Happen Team. We were greatly assisted in working out the implications by being reminded that the NISCC and employers have separate functions in investigating complaints. The prime aim of the NISCC is to protect the public – this will underpin and inform all their work and is an aim which employers in the voluntary sector will want to fully support.
- You should revisit your disciplinary processes to ensure that they are consistent with the requirements of the Code. In particular consider:
 - adopting the NISCC Code of Practice for Social Care Workers as your organisation’s conduct standard
 - developing procedures to inform the NISCC of concerns or complaints about an employee’s conduct or performance. Decisions about informing the NISCC will be made within the following framework:
 - a) The NISCC will investigate serious breaches of the Code. Employers will need to use their judgement about what is a serious breach – when in doubt contact the NISCC and discuss.
 - b) The NISCC should be informed about all dismissals.
 - c) The NISCC should be informed about all resignations which are made prior to completion of a disciplinary investigation/hearing.
 - d) In deciding when to inform the NISCC consider the degree to which protection issues are involved in the situation. Where the concerns indicate a risk to users or others it is advisable to inform the NISCC at an early stage. Parallel investigations are possible, i.e. the NISCC can investigate at the same time as the employer’s disciplinary processes are being implemented.

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- ensuring that you have arrangements in place for informing the employee that the NISCC has been contacted,
 - revising your existing contracts, job descriptions and application forms to take account of the Codes.
- Remember that the Labour Relations Agency offers support in ensuring that such amendments are properly conducted.

Standard 5: Frequently asked questions

Do we need to produce leaflets and information materials to inform staff, service-users and carers about the Codes?

No. The NISCC will produce information materials in a variety of formats which employers may distribute within their agencies.

What happens if the NISCC reaches a different conclusion from the employers on an employee's fitness to practice?

This is a possibility. The NISCC processes are examining different issues and have a different focus from internal agency procedures eg an employer may consider that a medical condition debars a worker from a specific post, however the NISCC may not take action as the condition does not prevent the worker from carrying out different roles in the social care sector.

How will the NISCC receive complaints?

The NISCC will provide the complainant with a copy of its guidance on making a complaint and a complaint form.

Can a member of the public, service-user or carer make a direct complaint?

Yes.

Standard 5: Frequently asked questions cont...

Will anonymous complaints be accepted?

Where anonymous complaints are received by the NISCC shall investigate the matter and, if satisfied that the allegations amount to a complaint, the NISCC shall act as the complainant.

Will employees be informed about all complaints made against them?

Yes, when an allegation amounts to a complaint.

The Employer's Code (5.8) refers to behaviour outside work which may call into question the individual's suitability to work in social care services – how will this be defined?

This is a difficult area as we do not yet have case examples of the type of activities that may be covered. Each individual situation will be considered and a view taken of its relevance to this standard. The NISCC will provide further guidance as case material is developed.

Could I be investigated twice for the same complaint?

Yes, but each investigation will serve a different purpose – employers will consider suitability for the job while the NISCC will consider the registrant's suitability to remain on the register for the social care workforce.

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Getting on the register

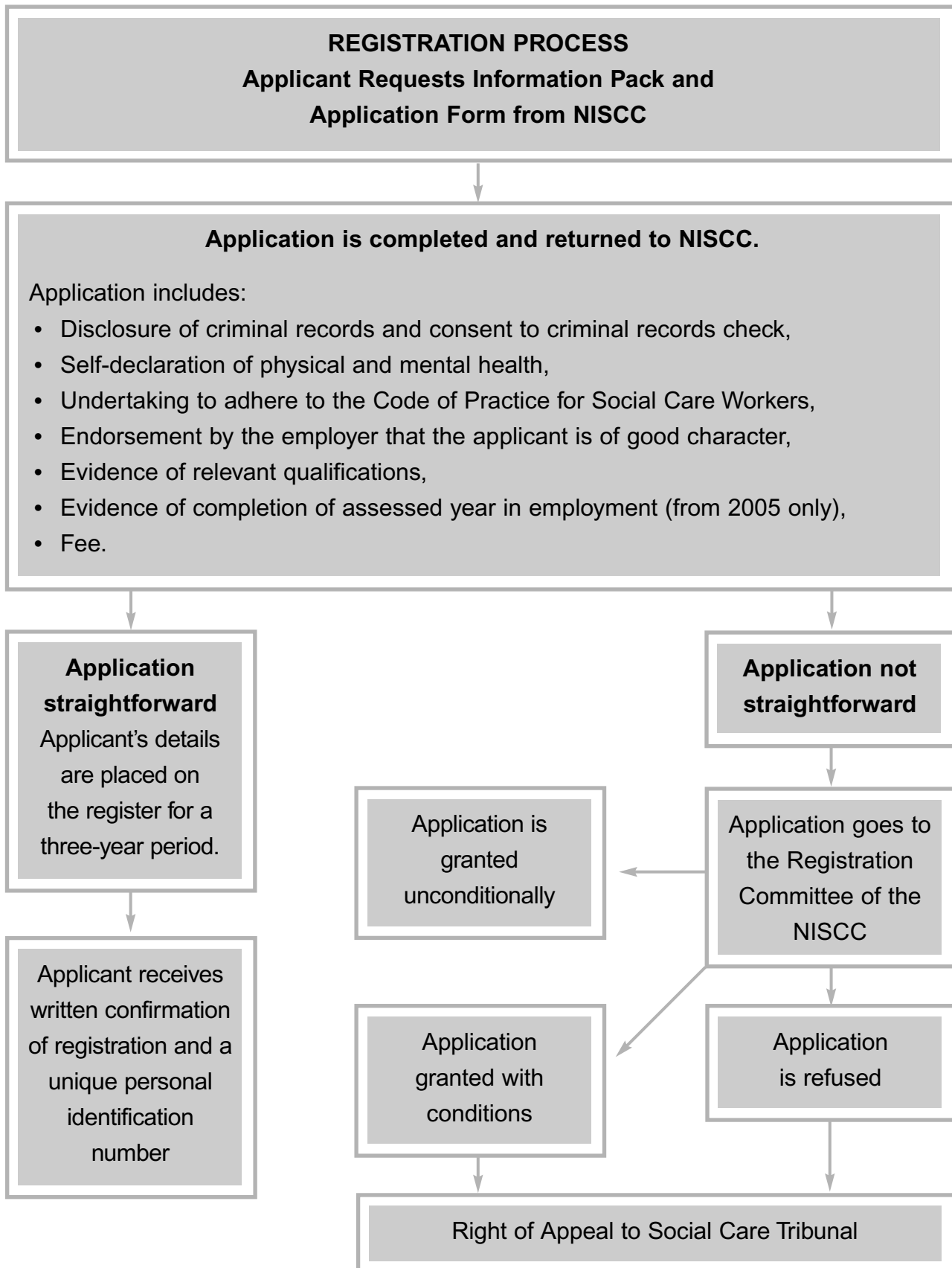
The responsibility for getting registered lies with the individual registrant and not with the employer. In order to help you advise your staff on the practicalities of registration, the process is summarised in the diagram overleaf. Answers are also given to questions most frequently being raised by staff about this aspect of the NISCC's work.



For convenience employers may wish to obtain some information packs for their agencies.

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Getting on the register: Frequently asked questions

What's in it for me to go on the Register?

If you are on the register you are deemed to be of good character, fit and competent to practice. You will be supported to achieve appropriate education and training for the post you are in. Your status as a worker will be improved both with the public and other professionals. Most importantly there will be added protection for the service users and carers you work with and there should be fewer media scandals, which bring the profession into disrepute.

What information will be held about me?

Records will be held in accord with Data Protection and Human Rights legislation. On the website that is open to the public the following will be available:

- ***Name***
- ***Registration Number***
- ***Town you practice in***

How will criminal records be checked?

PSNI will provide information about all convictions including pending convictions, spent convictions and formal cautions.

What sort of information will trigger the need for further medical information and who will pay for this?

Registrants have to make a self-declaration of physical and mental fitness on the application form. The NISCC will develop criteria against which to judge a person's physical and mental fitness to do the job. Disability discrimination legislation and legal advice will be taken into account. The NISCC will make a judgment about whether a person should be part of the social care workforce. The cost will be borne by the NISCC.

Getting on the register: Frequently asked questions cont...

Will the fact that the job can be the cause of the physical or mental illness be taken into account?

All relevant information will be taken into account.

If my employer has done a police check will I have to have another one done?

Yes. The NISCC will do a police check in order to ensure consistency and currency of information.

What part of the register will I go on to?

Legislation requires that the register is divided into parts. There will be a separate part for workers with a social work qualification. It is proposed that the register is as simple as possible, so there will be a separate part for social care workers who do not hold a social work qualification and there may be a separate part for students.

How long is registration for?

Three years.

When is an application not considered “straightforward”?

Applications are not straightforward if concerns are identified in:

- Employers endorsement,
- Police check,
- Declaration of health,
- Evidence of qualifications.

What does “good character” mean?

Good character will be checked through criminal records checks and employer endorsements/references.

How will applicants from outside the UK be checked?

A central system will be established to check applications from outside the UK. This will be managed for the NISCC by the General Social Care Council.

Getting on the register: Frequently asked questions cont...

How will applicants from England, Scotland or Wales be checked?

These applicants will be processed through the usual NISCC processes.

Do I need to register now?

DHSS&PS have identified the 1st priority groups to be registered viz:

- People who have a social work qualification,
- People in a designated social work post,
- Team leaders and residential care workers in Child Care,
- Managers of residential care homes and day care not already registered with another regulatory authority.

The register will open for these groups from 1st April 2003.

I am on the Nursing Register. Do I have to register?

No. Dual registration is not required in Northern Ireland but you may choose to register with the NISCC if you wish.

How much will registration cost?

The registration fee for the first priority groups is £30.00 pa. The level of registration fee for other social care workers has yet to be set but the NISCC has agreed that the fee will differ for differing responsibilities. Registrants are responsible for paying the fee.

Is the fee tax deductible?

The Inland Revenue has confirmed that the NISCC's annual registration fee for social care workers has been approved for tax relief under Section 201 of the Income and Corporation Taxes 1988. As the Council will not appear in the list of approved bodies until later this year, anyone paying registration fees in the early months of the register opening should advise their local Tax Inspector that the Council has only recently been approved and quote *SAPP/T1644/45/2002/JEM*.

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Resources section

Useful websites

Northern Ireland Social Care Council

www.niscc.info

For updates on developments and downloads of newsletters and reports.

The Suzy Lamplugh Trust

www.suzylamplugh.org

Useful advice and guidance for employers and staff on personal safety issues.

Legal Island

www.legal-island.com

Information on legal issues in Northern Ireland and the Republic of Ireland.

Equality Commission

www.equalityni.org

Information on useful publications and employment legislation.

Chartered Institute for Personnel and Development

www.cipd.co.uk

A host of up to the minute information on human resource issues, employment law and staff training.

Industrial Tribunals and Fair Employment Tribunal

www.industrialfairemploymenttribunalsni.gov.uk

For information on how tribunals operate in Northern Ireland.

Information Commissioner

www.dataprotection.gov.uk

Responsible for Data Protection and Freedom of Information – contains very useful answers to frequently asked questions on data protection.

TOPSS England Induction and Foundation Standards

Further information

The standards were introduced in the Spring of 2001 to provide a benchmark for the induction of all social care staff. They form part of the implementation of the TOPSS England training strategy Modernising the Social Care Workforce.

The induction and foundation standards are set out to provide a description of the minimum understanding required for social care work. The workplace manager is responsible for adding areas of work particular to the worker's role and for deciding the level of understanding required for that role. The standards are not set at any particular qualification level. However because they set out minimum understanding they readily link to the NVQ level 2 that is the minimum qualification used within the sector.

The introduction of the induction and foundation standards has the following purposes:

- To encourage and support organisations that do not have an established staff induction process
- To provide a consistent benchmark of content for organisations that do have an induction system
- To provide the basis for recognising the induction of individuals as they move from job to job
- To be the start of a personal development plan and record.

There are five units in the induction standards:

- **Unit 1** – Understand the principles of care
- **Unit 2** – Understand the organisation and the role of the worker
- **Unit 3** – Understand the experiences and the particular needs of the service user groups
- **Unit 4** – Maintain safety at work
- **Unit 5** – Understand the effects of the service setting on providing services.

There are a further five units in the foundation standards:

- **Unit 1** – Understand how to apply the value base of care
- **Unit 2** – Communicate effectively
- **Unit 3** – Develop as a worker
- **Unit 4** – Recognise and respond to abuse and neglect
- **Unit 5** – Understand the experiences and particular needs of the individuals using the service.

The standards are expressed as main headings with outcomes; these have been kept as brief as possible. There are links to National Occupational Standards so that progression links into further training and assessment are clear.

The full standards are available on the TOPSS England website www.topss.org.uk

Sample policies available to preview at NISCC

In order to support voluntary agencies in meeting registration requirements Making It Happen Project Team agencies supplied copies of their policies. These have been anonymised and are available for reference at the NISCC. The NISCC does not necessarily endorse the policies but is making them available to support agencies. Areas covered by the policies include:

- Recruitment and Selection,
- Training and Staff Development,
- Confidentiality,
- Equal Opportunities,
- Complaints,
- Risk Assessment,
- Substance Abuse,
- Record Keeping,
- Bullying,
- Violence in The Workplace,
- Staff Welfare,
- Acceptance of Money or Gifts,
- Supervision,
- Whistle blowing,
- Performance Management.

Code of Practice for employers of social care workers

Introduction

This booklet contains agreed codes of practice for social care workers and employers of social care workers describing the standards of conduct and practice within which they should work. This introduction is intended to help you understand what the codes are for and what they will mean to you as a social care worker, employer, service user or member of the public.

The Northern Ireland Social Care Council began its work on 1 October 2001, at the same time as the General Social Care Council, the Scottish Social Services Council, and the Care Council for Wales. The Councils have a duty to develop codes of practice and have worked together in developing these codes as part of their contribution to raising standards in social care services.

The two codes for workers and employers are presented together in this booklet because they are complementary and mirror the joint responsibilities of employers and workers in ensuring high standards.

What are the codes?

The Code of Practice for Social Care Workers is a list of statements that describe the standards of professional conduct and practice required of social care workers as they go about their daily work. This is the first time that standards have been set in this way at national level, although many employers have similar standards in place at local level. The intention is to confirm the standards required in social care and ensure that workers know what standards of conduct employers, colleagues, service users, carers and the public expect of them.

The Code of Practice for Employers of Social Care Workers sets down the responsibilities of employers in the regulation of social care workers. Again, this is the first time that such standards have been set out at national level. The code requires that employers adhere to the standards set out in their code, support social care workers in meeting their code and take appropriate action when workers do not meet expected standards of conduct.

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The codes are intended to reflect existing good practice and it is anticipated that workers and employers will recognise in the codes the shared standards to which they already aspire. The Councils will promote these standards through making the codes widely available.

How will the codes be used?

The codes are a key step in the introduction of a system of regulation for social care in the four countries of the UK. The Councils are responsible for the registration of those working in social care. The register will be a public record that those registered have met the requirements for entry onto the register and have agreed to abide by the standards set out in the Code of Practice for Social Care Workers.

The Councils will take account of the standards set in the Code of Practice for Social Care Workers in considering issues of misconduct and decisions as to whether a registered worker should remain on the register.

What will the codes mean to you?

- As a social care worker you will have criteria to guide your practice and be clear about what standards of conduct you are expected to meet. You are encouraged to use the codes to examine your own practice and to look for areas in which you can improve.
- As a social care employer you will know what part you are expected to play in the regulation of the workforce and the support of high quality social care. You are encouraged to review your own standards of practice and policies in the light of the standards set in the code.
- As a user of services or member of the public the codes will help you understand how a social care worker should behave towards you and how employers should support social care workers to do their jobs well.

Purpose

The purpose of this code is to set down the responsibilities of employers in regulating social care workers. The purpose of workforce regulation is to protect and promote the interests of service users and carers. The code is intended to complement rather than replace or duplicate existing employers' policies and it forms part of the wider package of legislation, requirements and guidance that relate to the employment of staff. Employers are responsible for making sure that they meet the standards set out in this code, provide high quality services and promote public trust and confidence in social care services.

Status

The Northern Ireland Health and Personal Social Services Regulation and Improvements Authority will take this code into account in their enforcement of care standards.

To meet their responsibilities in relation to regulating the social care workforce, social care employers must:

1. Make sure people are suitable to enter the workforce and understand their roles and responsibilities,
2. Have written policies and procedures in place to enable social care workers to meet the Northern Ireland Social Care Council (NISCC) Code of Practice for Social Care Workers,
3. Provide training and development opportunities to enable social care workers to strengthen and develop their skills and knowledge,
4. Put in place and implement written processes and procedures to deal with dangerous, discriminatory or exploitative behaviour and practice, and,
5. Promote the NISCC's codes of practice to social care workers, service users and carers and co-operate with the NISCC's proceedings.

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1. As a social care employer, you must make sure people are suitable to enter the social care workforce and understand their roles and responsibilities.

This includes:

- 1.1 Using rigorous and thorough recruitment and selection processes focused on making sure that only people who have the appropriate knowledge and skills and who are suitable to provide social care are allowed to enter your workforce,
- 1.2 Checking criminal records, relevant registers and indexes and assessing whether people are capable of carrying out the duties of the job they have been selected for before confirming appointments,
- 1.3 Seeking and providing reliable references,
- 1.4 Giving staff clear information about their roles and responsibilities, relevant legislation and the organisational policies and procedures they must follow in their work, and,
- 1.5 Managing the performance of staff and the organisation to ensure high quality services and care.

2. As a social care employer, you must have written policies and processes in place to enable social care workers to meet the NISCC's Code of Practice for Social Care Workers.

This includes:

- 2.1 Implementing and monitoring written policies on: confidentiality; equal opportunities; risk assessment; substance abuse; record keeping; and the acceptance of money or personal gifts from service users or carers,
- 2.2 Effectively managing and supervising staff to support effective practice and good conduct and supporting staff to address deficiencies in their performance,
- 2.3 Having systems in place to enable social care workers to report inadequate resources or operational difficulties which might impede the delivery of safe care and working with them and relevant authorities to address those issues, and,

2.4 Supporting social care workers to meet the NISCC's Code of Practice for Social Care Workers and not requiring them to do anything that would put their compliance with that code at risk.

3. As a social care employer, you must provide training and development opportunities to enable social care workers to strengthen and develop their skills and knowledge.

This includes:

3.1 Providing induction, training and development opportunities to help social care workers do their jobs effectively and prepare for new and changing roles and responsibilities,

3.2 Contributing to the provision of social care and social work education and training, including effective workplace assessment and practice learning,

3.3 Supporting staff in posts subject to registration to meet the NISCC's eligibility criteria for registration and its requirements for continuing professional development, and,

3.4 Responding appropriately to social care workers who seek assistance because they do not feel able or adequately prepared to carry out any aspects of their work.

4. As a social care employer, you must put into place and implement written policies and procedures to deal with dangerous, discriminatory or exploitative behaviour and practice.

This includes:

4.1 Making it clear to social care workers that bullying, harassment or any form of unjustifiable discrimination is not acceptable and taking action to deal with such behaviour,

4.2 Establishing and promoting procedures for social care workers to report dangerous, discriminatory, abusive or exploitative behaviour and practice and dealing with these reports promptly, effectively and openly,

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- 4.3 Making it clear to social care workers, service users and carers that violence, threats or abuse to staff are not acceptable and having clear policies and procedures for minimising the risk of violence and managing violent incidents,
- 4.4 Supporting social care workers who experience trauma or violence in their work,
- 4.5 Putting in place and implementing written policies and procedures that promote staff welfare and equal opportunities for workers; and
- 4.6 While ensuring that the care and safety of service users is your priority, providing appropriate assistance to social care workers whose work is affected by ill health or dependency on drugs and alcohol, and giving clear guidance about any limits on their work while they are receiving treatment.

5. As a social care employer, you must promote the NISCC's codes of practice to social care workers, service users and carers and co-operate with the NISCC's proceedings.

This includes:

- 5.1 Informing social care workers about this code and your responsibility to comply with it,
- 5.2 Informing social care workers about the NISCC's Code of Practice for Social Care Workers and their personal responsibility to meet that code,
- 5.3 Making service users and carers aware of this code and the Code of Practice for Social Care Workers and informing them about how to raise issues through your policies and, if necessary, contact the NISCC in relation to the codes,
- 5.4 Taking account of the NISCC's Code of Practice for Social Care Workers in making any decision that relates to the conduct of workers,
- 5.5 Informing the NISCC about any misconduct by registered social care workers that might call into question their registration and inform the worker involved that a report has been made to the NISCC, and,
- 5.6 Co-operating with NISCC investigations and hearings and responding appropriately to the findings and decisions of the NISCC.

Code of Practice for social care workers

Introduction

This booklet contains agreed codes of practice for social care workers and employers of social care workers describing the standards of conduct and practice within which they should work. This introduction is intended to help you understand what the codes are for and what they will mean to you as a social care worker, employer, service user or member of the public.

The Northern Ireland Social Care Council began its work on 1 October 2001, at the same time as the General Social Care Council, the Scottish Social Services Council, and the Care Council for Wales. The Councils have a duty to develop codes of practice and have worked together in developing these codes as part of their contribution to raising standards in social care services.

The two codes for workers and employers are presented together in this booklet because they are complementary and mirror the joint responsibilities of employers and workers in ensuring high standards.

What are the codes?

The Code of Practice for Social Care Workers is a list of statements that describe the standards of professional conduct and practice required of social care workers as they go about their daily work. This is the first time that standards have been set in this way at national level, although many employers have similar standards in place at local level. The intention is to confirm the standards required in social care and ensure that workers know what standards of conduct employers, colleagues, service users, carers and the public expect of them.

The Code of Practice for Employers of Social Care Workers sets down the responsibilities of employers in the regulation of social care workers. Again, this is the first time that such standards have been set out at national level. The code requires that employers adhere to the standards set out in their code, support social care workers in meeting their code and take appropriate action when workers do not meet expected standards of conduct.

The codes are intended to reflect existing good practice and it is anticipated that workers and employers will recognise in the codes the shared standards to which they already

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aspire. The Councils will promote these standards through making the codes widely available.

How will the codes be used?

The codes are a key step in the introduction of a system of regulation for social care in the four countries of the UK. The Councils are responsible for the registration of those working in social care. The register will be a public record that those registered have met the requirements for entry onto the register and have agreed to abide by the standards set out in the Code of Practice for Social Care Workers.

The Councils will take account of the standards set in the Code of Practice for Social Care Workers in considering issues of misconduct and decisions as to whether a registered worker should remain on the register.

What will the codes mean to you?

- As a social care worker you will have criteria to guide your practice and be clear about what standards of conduct you are expected to meet. You are encouraged to use the codes to examine your own practice and to look for areas in which you can improve.
- As a social care employer you will know what part you are expected to play in the regulation of the workforce and the support of high quality social care. You are encouraged to review your own standards of practice and policies in the light of the standards set in the code.
- As a user of services or member of the public the codes will help you understand how a social care worker should behave towards you and how employers should support social care workers to do their jobs well.

Purpose

The purpose of this code is to set out the conduct that is expected of social care workers and to inform service users and the public about the standards of conduct they can expect from social care workers. It forms part of the wider package of legislation, practice standards and employers' policies and procedures that social care workers must meet. Social care workers are responsible for making sure that their conduct does not fall below the standards set out in this code and that no action or omission on their part harms the wellbeing of service users.

Status

The Northern Ireland Social Care Council expects social care workers to meet this code and may take action if registered workers fail to do so. Employers of social care workers are required to take account of this code in making any decisions about the conduct of their staff.

Social care workers must:

1. Protect the rights and promote the interests of service users and carers;
2. Strive to establish and maintain the trust and confidence of service users and carers;
3. Promote the independence of service users while protecting them as far as possible from danger or harm;
4. Respect the rights of service users while seeking to ensure that their behaviour does not harm themselves or other people;
5. Uphold public trust and confidence in social care services; and
6. Be accountable for the quality of their work and take responsibility for maintaining and improving their knowledge and skills.

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1. As a social care worker, you must protect the rights and promote the interests of service users and carers.

This includes:

- 1.1 Treating each person as an individual;
- 1.2 Respecting and, where appropriate, promoting the individual views and wishes of both service users and carers;
- 1.3 Supporting service users' rights to control their lives and make informed choices about the services they receive;
- 1.4 Respecting and maintaining the dignity and privacy of service users;
- 1.5 Promoting equal opportunities for service users and carers; and
- 1.6 Respecting diversity and different cultures and values.

2. As a social care worker, you must strive to establish and maintain the trust and confidence of service users and carers.

This includes:

- 2.1 Being honest and trustworthy;
- 2.2 Communicating in an appropriate, open, accurate and straightforward way;
- 2.3 Respecting confidential information and clearly explaining agency policies about confidentiality to service users and carers;
- 2.4 Being reliable and dependable;
- 2.5 Honouring work commitments, agreements and arrangements and, when it is not possible to do so, explaining why to service users and carers;
- 2.6 Declaring issues that might create conflicts of interest and making sure that they do not influence your judgement or practice; and
- 2.7 Adhering to policies and procedures about accepting gifts and money from service users and carers.

3. As a social care worker, you must promote the independence of service users while protecting them as far as possible from danger or harm.

This includes:

- 3.1 Promoting the independence of service users and assisting them to understand and exercise their rights;
- 3.2 Using established processes and procedures to challenge and report dangerous, abusive, discriminatory or exploitative behaviour and practice;
- 3.3 Following practice and procedures designed to keep you and other people safe from violent and abusive behaviour at work;
- 3.4 Bringing to the attention of your employer or the appropriate authority resource or operational difficulties that might get in the way of the delivery of safe care;
- 3.5 Informing your employer or an appropriate authority where the practice of colleagues may be unsafe or adversely affecting standards of care;
- 3.6 Complying with employers' health and safety policies, including those relating to substance abuse;
- 3.7 Helping service users and carers to make complaints, taking complaints seriously and responding to them or passing them to the appropriate person; and
- 3.8 Recognising and using responsibly the power that comes from your work with service users and carers.

4. As a social care worker, you must respect the rights of service users while seeking to ensure that their behaviour does not harm themselves or other people.

This includes:

- 4.1 Recognising that service users have the right to take risks and helping them to identify and manage potential and actual risks to themselves and others;
- 4.2 Following risk assessment policies and procedures to assess whether the behaviour of service users presents a risk of harm to themselves or others;

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- 4.3 Taking necessary steps to minimise the risks of service users from doing actual or potential harm to themselves or other people; and
- 4.4 Ensuring that relevant colleagues and agencies are informed about the outcomes and implications of risk assessments.

5. As a social care worker, you must uphold public trust and confidence in social care services.

In particular you must not:

- 5.1 Abuse, neglect or harm service users, carers or colleagues;
- 5.2 Exploit service users, carers or colleagues in any way;
- 5.3 Abuse the trust of service users and carers or the access you have to personal information about them or to their property, home or workplace;
- 5.4 Form inappropriate personal relationships with services users;
- 5.5 Discriminate unlawfully or unjustifiably against service users, carers or colleagues;
- 5.6 Condone any unlawful or unjustifiable discrimination by service users, carers or colleagues;
- 5.7 Put yourself or other people at unnecessary risk; or
- 5.8 Behave in a way, in work or outside work, which would call into question your suitability to work in social care services.

6. As a social care worker, you must be accountable for the quality of your work and take responsibility for maintaining and improving your knowledge and skills.

This includes:

- 6.1 Meeting relevant standards of practice and working in a lawful, safe and effective way;
- 6.2 Maintaining clear and accurate records as required by procedures established for your work;
- 6.3 Informing your employer or the appropriate authority about any personal difficulties that might affect your ability to do your job competently and safely;
- 6.4 Seeking assistance from your employer or the appropriate authority if you do not feel able or adequately prepared to carry out any aspect of your work, or you are not sure about how to proceed in a work matter;
- 6.5 Working openly and co-operatively with colleagues and treating them with respect;
- 6.6 Recognising that you remain responsible for the work that you have delegated to other workers;
- 6.7 Recognising and respecting the roles and expertise of workers from other agencies and working in partnership with them; and
- 6.8 Undertaking relevant training to maintain and improve your knowledge and skills and contributing to the learning and development of others.

Making It Happen – Employers audit tool

Standard 1: Recruitment, selection and performance management

What employers need to do

Employers code reference

Have rigorous recruitment and selection processes to include arrangements for:

- Criminal record checks,
- Checks of relevant registers, eg PECS and List 99,
- Securing and providing reliable references.

1.1

1.2

1.2

1.3

Have in place arrangements for providing information to staff on their roles and responsibilities, relevant legislation, organisation policies and procedures.

1.4

Have systems in place for managing the performance of staff.

1.5

What action is needed to meet this

Action Plan/Notes

Standard 2: Policies and procedures

What employers need to do

Employers code reference

Have policies on:

- | | |
|--|-----|
| • Confidentiality, | 2.1 |
| • Equal Opportunities, | 2.1 |
| • Risk Assessment, | 2.1 |
| • Substance abuse, | 2.1 |
| • Record Keeping, | 2.1 |
| • Acceptance of money of gifts from users or carers, | 2.1 |
| • Supervision of performance management. | 2.2 |

What action is needed to meet this

Action Plan/Notes

Standard 3: Staff training and development

What employers need to do

- Provide induction for staff,
- Provide opportunities for staff for continuous professional development,
- Provide effective workplace assessment and learning.

Employers code reference

3.2

3.2

3.2

What action is needed to meet this

Action Plan/Notes

Standard 4: Dealing with poor practice

What employers need to do

Employers code reference

Have policies and procedures on:

- | | |
|---|----------|
| • Bullying, | 4.1 |
| • Harassment, | 4.1 |
| • Discrimination, | 4.1 |
| • Violence in the workplace, | 4.3 |
| • Staff welfare, | 4.4, 4.5 |
| • Support and guidance to staff whose work is affected by ill health, alcohol or drug dependency, | 4.6 |
| • Whistle-blowing. | 4.1 |

What action is needed to meet this

Action Plan/Notes

Standard 5: Working with the NISCC

What employers need to do

- Develop systems to inform service users/carers and staff about the Codes,
- Revise performance management systems to take account of the Codes in making decisions about staff conduct,
- Establish systems for informing the NISCC about misconduct that calls registration into question.

Employers code reference

5.1, 5.2

5.4

5.6

What action is needed to meet this

Action Plan/Notes

