



**Registration is changing**

Have your say on our proposals for:

* adult care home workers
* residential family centre support workers
* residential child care workers
* social care managers
* payment of registration fees

Consultation closes on 20 December 2019

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**Other formats:** This document is available in large text or other formats, if required. Copies are also available in Welsh.

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**Why we need your views**

This consultation sets out new arrangements for or changes that cover:

* ways to register for adult care home workers
* practice guidance for adult care home workers
* ways to register for residential family centre support workers
* a new way for residential childcare workers to qualify for registration
* a more flexible way of recognising a social care worker as a manager for the purposes of registration
* the payment of fees in years two and three of registration
* the streamlining of categories of worker on the Register.

Social Care Wales was established in 2017 and we are responsible for leading improvement in social care. Part of our remit is to protect the public, as set out in the Regulation and Inspection of Social Care (Wales) Act 2016.

To do this, we keep a register of workers who are in roles the Welsh Government has decided should be registered with us. This means we give those who are fit to practise a licence to do so, help safeguard the public and improve standards for those receiving and providing care.

We currently have around 18,000 workers on the Register. Domiciliary care workers are now registering with us and it will be mandatory for them to do so by April 2020. Adult care home workers and residential family support workers will be able to register from 2020 and it will be mandatory for them to register from 2022. This will mean that most of the social care workforce will be regulated – confirmation of the professionalism expected of the care sector in the years to come.

Recently, the Welsh Government consulted on regulations that would make registration mandatory for domiciliary care workers from April 2020, and for adult care home workers and residential family support workers to be able to register from 2020.

Although the Welsh Government is yet to announce its intentions following the consultation, in order to meet the timetable we must work on the basis of these changes coming in to effect as planned. We are therefore consulting now on a number of important changes to the way we undertake our registration. We will, of course, reconsider our proposals in light of any changes to the Welsh Government’s proposals following their consultation.

**How you can take part in this consultation**

* Our proposals are explained under each section
* Each section contains a set of questions
* You can answer all the questions or only the questions that are most important to you
* You can respond online at: [socialcare.wales/consultations](http://socialcare.wales/consultations)
* The consultation will run for eight weeks between 21 October and 20 December 2019
* The consultation closes at 5pm on 20 December 2019. We can’t consider comments received later
* Please share this document with interested colleagues
* If you need a copy in a different format or have any questions, please contact us at consultations@socialcare.wales or on 0300 3033 444.

**Thank you for telling us what you think.**

**About you/your organisation**

Are you responding to this consultation:

|  |  |  |
| --- | --- | --- |
| 1. **as an individual**
 |[ ]  **or** | 1. **on behalf of an organisation**
 |[ ]
|  |
| **If as an individual, are you a/an** |  |  | **Is the organisation:** |  |
| Social care manager |[ ]   | Central or devolved government |[ ]
| Social care worker |[ ]   | A local authority |[ ]
| Social worker |[ ]   | A health sector organisation |[ ]
| Social work student |[ ]   | An employer |[ ]
| Individual using care and support |[ ]   | A learning provider |[ ]
| Member of the public  |[ ]   | Other – please describe below: |
| Employed by NHS Wales |[ ]   |  |
| Learning provider |[ ]   |  |
| Carer |[ ]   |  |
|  |  | Organisation name/type of work carried out: |
| Other – please describe below: |  |  |
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**Adult care home worker registration**

**Qualifications for adult care home worker registration**

To register with us, we propose that adult care home workers must have the qualifications listed in the *Qualification framework for social care and regulated childcare in Wales*. That is:

* **City & Guilds Level 2 Health and Social Care: Core**

Plus one of the following:

* **City & Guilds Level 2 Health and Social Care: Practice (Adults)**
* **City & Guilds Level 3 Health and Social Care: Practice (Adults)**, or
* any other qualification recommended by the qualification framework for adult care home workers.

**You can find the qualification frameworkat:**

[socialcare.wales/qualification-framework](https://socialcare.wales/qualification-framework)

**Confirmed competence**

We propose a temporary, alternative route for registration to allow experienced **adult care home workers** to register without the need to complete a formal qualification. This is the confirmed competence route.

Although we know most adult care home workers already have the required qualification to register, it’s important to recognise there are excellent, experienced workers who may not have a qualification but have the skills and competence to do the job to a high standard. We cannot afford to lose people with this level of experience and knowledge, which is why we have made it possible for employers to provide formal confirmation of their competence.

To be eligible for this route to registration, a worker must have at least three years’ experience of paid employment in a relevant care and support role, within the last five years. This does not need to be continuous experience. This can be working on a full-time or part-time basis.

The three years’ experience can be across different employers. The current employer must be satisfied the worker has enough experience based on their employment history and satisfactory references received from previous employment. The manager must be confident the worker is able to consistently demonstrate the [required competencies](https://socialcare.wales/cms_assets/file-uploads/Confirm-Competence-FAQs-2.pdf).

The purpose of the confirmed competence route is to keep good, experienced workers in the sector. Workers who register through the confirmed competence route before April 2022 will not need a qualification to re-register, but they will need to complete 90 hours of post-registration training and learning.

**Social Care Wales Principles and Values Award**

For **adult care home workers** who do not already have one of the qualifications listed above, we want to use the Social Care Wales Principles and Values Award (adults or children and young people) as the initial training requirement to allow them to register.

This short online course and assessment is based on the first two sections of the *All Wales induction framework for health and social care*. It provides those who complete it successfully with a solid grounding while they work towards getting the required qualification.

Workers who use the award to register will need to complete one of the qualifications listed in the qualification framework within the first (three-year) period of registration.

**You can find more information about the Social Care Wales Principles and Values Award at:** [**socialcare.wales/news-stories/new-award-to-support-alternative-route-to-register-for-domiciliary-care-workers**](https://socialcare.wales/news-stories/new-award-to-support-alternative-route-to-register-for-domiciliary-care-workers)

**Questions**

**Do you agree with the proposal to allow adult care home workers to register using the qualifications listed in the existing qualification framework?**

Yes [ ]

No [ ]

Please use the space below for any comments:

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**Do you agree with our proposal to allow adult care home workers who do not hold one of the recognised qualifications to register initially using the Principles and Values Award?**

Yes [ ]

No [ ]

Please use the space below for any comments:

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**Do you agree with our proposal for a temporary confirmed competence route between 2020 and 2022, which will allow experienced adult care home workers to register without the need to complete a formal qualification?**

Yes [ ]

No [ ]

Please use the space below for any comments:

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**Practice guidance for adult care home workers**

We have practice guidance for registered workers that describes what is expected of them in their role. This guidance is a practical tool to help workers’ practise to the high standards expected and contributes to good outcomes for people using care and support.

[*The Code of Professional Practice for Social Care*](https://socialcare.wales/fitness-to-practise/codes-of-practice-and-guidance#section-29493-anchor) remains the main document for setting standards and expectations for practice upon the workforce. Practice guidance is used to expand on how to meet the standards in the Code. Registered workers and their employers should make sure they’re familiar with the guidance relevant to their area of work. Serious or persistent failure to follow practice guidance can put a worker's registration at risk.

**The draft practice guidance for adult care home workers is available at:** [**socialcare.wales/consultations**](https://socialcare.wales/consultations)

**Questions**

**Do you think the standards and the expectations on workers set in the practice guidance are reasonable and achievable?**

Yes [ ]

No [ ]

Please provide your comments in the space below:

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**Do you think there are any gaps in the content of the practice guidance?**

Yes [ ]

No [ ]

Please use the space below to tell us about any gaps:

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**Residential family centre support worker registration**

**Qualifications for residential family centre support worker registration**

To register with us, we propose residential family centre support workers must have the qualifications listed in the *Qualification framework for social care and regulated childcare in Wales*. That is:

* **City & Guilds Level 2 Health and Social Care: Core**

Plus one of the following:

* **City & Guilds Level 3 Health and Social Care (Children and Young People): Practice** or any other qualification recommended by the qualification framework for residential family centre support workers.

**Social Care Wales Principles and Values Award**

For **residential family centre support workers** who do not already have one of the qualifications listed above, we want to use the Social Care Wales Principles and Values Award (adults or children and young people) as the initial training requirement to allow them to register.

This short online course and assessment is based on the first two sections of the *All Wales induction framework for health and social care*. It provides those who complete it successfully with a solid grounding while they work towards getting the required qualification.

Workers who use the award to register will need to complete one of the qualifications listed in the qualifications framework within the first (three-year) period of registration.

**You can find information about the Social Care Wales Principles and Values Award at:** [**socialcare.wales/news-stories/new-award-to-support-alternative-route-to-register-for-domiciliary-care-workers**](https://socialcare.wales/news-stories/new-award-to-support-alternative-route-to-register-for-domiciliary-care-workers)

**Practice guidance**

Residential family centre support workers will be expected to work to the standards set in the [practice guidance for residential child care workers](https://socialcare.wales/cms_assets/file-uploads/Practice-guidance-residential-child-care-workers.pdf).

**Questions**

**Do you agree with the proposal to allow residential family centre support workers to register using the qualifications listed in the existing qualification framework?**

Yes [ ]

No [ ]

Please use the space below for any comments:

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**Do you agree with our proposal to allow residential family centre support workers who do not hold one of the recognised qualifications to register initially using the Principles and Values Award?**

Yes [ ]

No [ ]

Please use the space below for any comments:

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**Changes to residential child care worker registration**

**What changes are we proposing to make and why?**

There are now a range of options for social care workers to register with us. This is a positive development and, generally, there has been support for it across the sector.

Residential child care workers cannot currently register with us using the Social Care Wales Principles and Values Award. Instead they must complete the *All Wales induction framework for health and social care*.

We propose to allow residential child care workers who do not already have one of the required qualifications to use the Social Care Wales Principles and Values Award (children and young people) as the initial training requirement to allow them to register.

This will make the award a consistent route to registration for all social care workers. We believe this will provide consistency across the sector and will simplify the requirements across the Register, while not undermining public protection.

This short online course and assessment is based on the first two sections of the *All Wales induction framework for health and social care*. It provides those who complete it successfully with a solid grounding while they work towards getting the required qualification.

Workers who use the award to register will need to complete one of the qualifications listed in the [qualification framework](https://socialcare.wales/qualification-framework) within the first (three-year) period of registration.

**You can find more information about the Principles and Values Award at:** [**socialcare.wales/news-stories/new-award-to-support-alternative-route-to-register-for-domiciliary-care-workers**](https://socialcare.wales/news-stories/new-award-to-support-alternative-route-to-register-for-domiciliary-care-workers)

**Do you agree with our proposal to allow residential child care workers who do not have a recognised qualification to register initially using the Principles and Values Award?**

Yes [ ]

No [ ]

Please provide your comments in the space below:

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**Changes to social care manager registration**

**What changes are we proposing and why?**

Until April 2018 managers needed to register with us and Care Inspectorate Wales (CIW), but since then managers have only needed to register with us.

To register with us, managers must hold a **Level 5 Leadership and Management of Health and Social Care: Practice** qualification or a recognised alternative listed in the qualification framework. This has raised concerns about what happens when a registered manager leaves and is replaced by an unqualified deputy, leaving the service non-compliant.

By 2022 most groups of social care workers will be registered with us and deputy managers will be subject to our regulatory requirements. This will reduce the risk associated with changing the status of workers as they will already be accountable to the standards set by the Code and the relevant practice guidance.

We are therefore proposing a more flexible route for registered workers. This route will see the worker’s status temporarily changed to manager where there are valid reasons that a manager is unavailable to the service.

If a social care worker is registered with us and is enrolled on or holds the:

* **University of South Wales Level 4 Certificate: Step up to Management (Social Care Wales)**

or

* **City & Guilds Level 4 Preparing for Leadership and Management: Health and Social Care**

leading to the full level 5 qualification, we will recognise their status as a manager on the Register until another manager is appointed or the worker completes the full level 5 qualification.

Those registered in a specific role with a different regulator, such as a nurse with the NMC or an occupational therapist with the HCPC, will have to register with us as a manager, with evidence they hold or are enrolled on the level 4 qualification.

To allow us to recognise other associated qualifications, we propose that those who hold a recognised qualification for registration with the relevant regulator as a social worker, nurse, or occupational therapist be allowed to apply for registration as a social care manager if they also hold a generic management qualification on condition that:

* it is set at a **minimum** of level 3
* it has a **minimum** of 37 credits
* it was assessed in the workplace for occupational competence and the registered person was in a relevant role in a health or social care setting when the qualification was undertaken.

**Questions**

**Do you agree with our proposal to register a social care worker or other registered professional as a manager if they are enrolled on the level 4 qualification when another manager is unavailable to a service?**

Yes [ ]

No [ ]

Please provide your comments in the space below:

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**Do you agree with our proposal to register those who hold a recognised qualification for registration with the relevant regulator as a social worker, nurse or occupational therapist, along with a generic management qualification with the conditions set out above?**

Yes [ ]

No [ ]

Please provide your comments in the space below:

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**The payment of fees**

Under the Regulation and Inspection of Social Care Act (Wales) 2016, we have the power to charge a fee to register with us[[1]](#footnote-2).

We previously consulted on the level of these fees and have set out our current and future fee structure[[2]](#footnote-3). These fees provide a vital contribution to the resources needed to maintain the Register and to carry out activities associated with public protection, such as fitness to practise proceedings.

We calculated these fee levels on the basis that everyone who registers with us pays their fees in full. But since the Regulation and Inspection of Social Care (Wales) Act came into force in 2017, non-payment of fees has been a significant problem. We estimate that, on average, 10 per cent of these fees are outstanding each year, leading to significant issues with resources for our regulatory services.

This non-payment of fees is a particular issue in the second and third year of the three-year registration period. This is because, while we can refuse to register someone for failing to pay their fees, under our current Rules we cannot remove someone who is already on the Register because they haven’t paid their fees.

We therefore propose to grant individuals who successfully register one year of registration, with the second and third years granted on a provisional basis pending the payment of their fees. The second and third years of registration will only be completed when the appropriate fee has been paid. Those who have not paid their fees at this stage will be removed from the Register.

Individuals who have been removed from the Register for non-payment will only be allowed to re-register once they have paid their outstanding fees. We will not ask for any additional monies, we will only ask for the fees for years two and three, and the normal fees for applying to renew registration after three years.

**Question**

**Do you agree with our proposal to introduce provisional registration for years two and three of an individual’s three-year registration?**

**This would mean their registration in these years would only become active once we have received the appropriate fee.**

Yes [ ]

No [ ]

Please add any comments here:

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**The future of registration in Wales**

The extension of the Register raises questions of professional status across the social care sector. Does a domiciliary care worker need to have different competencies to an adult care home worker? Could we replace the categories of adult care home worker and domiciliary worker with one for ‘adult social care worker’? Could we reduce the complexity in relation to the roles of registered workers in children’s social care settings?

In the longer term, we think it would be worthwhile exploring the Northern Ireland model of four categories of registered persons – social worker, social care manager, social care worker and social work student. This would remove the distinction between children’s social care and adults’ social care from the Register.

We are only seeking your initial thoughts about this idea and would only decide to go ahead with it following detailed engagement with the workforce and the wider sector.

In terms of managers, the new qualification framework for health and social care that begins this year will remove the specific qualifications that relate to types of settings, such as adult care home managers. This will make the distinction on the Register between managers working in different settings less relevant as those who complete the qualification will be able to use it in various service settings. In this light, and because of our desire to simplify the registration process, we will be exploring options to move towards a single category of ‘social care manager’.

A single category could make it easier for employers and for managers, particularly as we see new types of service emerge that combine, say, adult care home and domiciliary support services.

**Questions**

**We welcome your views on our ideas for a more streamlined Register.**

**Are broader categories relating to those working in adults’ or children’s social care more appropriate than the current separate sub-categories? Or do you support the idea of creating four categories within our Register – social worker, social care manager, social care worker and social work student?**

**We would particularly welcome your views on the benefits and risks this might present.**

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**Do you agree with our suggestion of grouping managers of regulated services in a single category on the Register, called ‘social care manager’?**

Yes [ ]

No [ ]

Please provide your comments in the space below:

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**We would like to know your views on the effects that all the proposals in this consultation will have on the Welsh language, specifically on:**

**i) opportunities for people to use Welsh**

**ii) treating the Welsh language no less favourably than the English language.**

**What effects do you think there would be? How could positive effects be increased or negative effects be mitigated?**

Please provide your comments in the space below:

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**How we will use your views**

Any response you send us will be seen in full by our staff dealing with the issues this consultation covers. It may also be seen by other members of staff to help us plan future consultations.

We will be publishing a summary of the responses to this document. We may also publish responses in full. Normally, the name and address of the person or organisation who sent the response are published with the response. This helps to show that the consultation was carried out properly. If you do not want your name or address published, please tell us this in writing when you send your response. We will then blank them out.

Names or addresses we blank out might still get published later, though we do not think this would happen very often. The Freedom of Information Act 2000 and the Environmental Information Regulations 2004 allow the public to ask to see information held by many public bodies, including Social Care Wales. This includes information that has not been published. However, the law also allows us to withhold information in some circumstances. If anyone asks to see information we have withheld, we will have to decide whether to release it or not. If someone has asked for their name and address not to be published, that is an important fact we would take into account. However, there might sometimes be important reasons why we would have to reveal someone’s name and address, even though they have asked for them not to be published. We would get in touch with the person and ask their views before we finally decided to reveal the information.

1. [Regulation and Inspection of Social Care (Wales) Act 2016, Section 74 (2)(b)](http://www.legislation.gov.uk/anaw/2016/2/section/74/enacted) [↑](#footnote-ref-2)
2. [socialcare.wales/registration/registration-fees](https://socialcare.wales/registration/registration-fees) [↑](#footnote-ref-3)