

Response ID ANON-V6GJ-GR8B-G

Submitted to **Social Work England: consultation on secondary legislative framework**
Submitted on 2018-03-12 16:53:43

Introduction

1 What is your name?

Name:

Kay Moore

2 What is your email address?

Email:

kay.moore@phoenixsch.org.uk

3 Are you responding as an individual or on behalf of an organisation?

Organisation

4 If you are responding on behalf of an organisation, what is the name of your organisation?

Name of organisation:

National Network of Parent Carer Forums

5 Which of the following best describes the capacity in which you are responding to this consultation?

Choose answer from dropdown list:

Service user

If Other, please give details:

6 Would you like us to keep your responses confidential?

No

Reason for confidentiality:

Regulatory functions - Registration

7 Do you agree that Social Work England should have the power to register social workers in England with conditions?

Yes

Text box for comments:

8 Do you agree with the proposal to introduce proportionate English language controls as a registration requirement?

Yes

Text box for comments:

9 Do you agree that Social Work England should have the power to annotate additional qualifications, specialisms, and accreditations?

Yes

Text box for comments:

10 Do you agree that current fitness to practise sanctions should be annotated on the register?

Yes

Text box for comments:

11 Do you agree that Social Work England should have a rule-making power to determine the length of time that expired sanctions are annotated on the register?

Yes

Text box for comments:

Regulatory functions - Education and training

12 Do you agree that Social Work England should be able to determine the criteria for the approval of education and training courses and qualifications in regulatory rules?

Yes

Text box for comments:

13 Do you agree that Social Work England should have the power to suspend education and training course approval?

Not Answered

Text box for comments:

14 Do you agree that Social Work England should have the power to attach conditions to education and training course approval?

Yes

Text box for comments:

15 Do you agree with the approach to allow Social Work England to approve other post qualification specialisms relating to social work using the approval scheme for initial education and training set out in regulations and regulatory rules?

Yes

Text box for comments:

Regulatory functions - Fitness to practise

16 Do you agree that the proposed fitness to practise inquiry approach provides for:

Approach to fitness to practise inquiry - a robust investigation process?:

Yes

Approach to fitness to practise inquiry - a clear and transparent mechanism for hearings?:

Yes

Approach to fitness to practise inquiry - a clear separation between investigation and adjudication?:

Yes

Approach to fitness to practise inquiry - a clear right of appeal?:

Yes

Text box for comments:

The NNPCF welcomes a new set standards for social workers to ensure public protection of children and young people with SEND.

The NNPCF believes that Social Work England should be accountable to both the Department for Education and the Department of Health and be overseen by the Professional Standards Authority.

17 Do you agree with the inclusion of provisions for:

Provisions for automatic removal etc - accepted disposal?:

Don't know

Provisions for automatic removal etc - automatic removal?:

Yes

Provisions for automatic removal etc - criminal convictions resulting in custodial sentences?:

Yes

Text box for comments:

18 Do you agree with the proposed list of offences that would result in automatic removal?

Yes

Text box for comments:

Operation and oversight of the regulator - Advisers

19 Do you agree that advisers should be able to provide the following to the regulator on matters relating to any of its functions?

Advisers providing information, advice, recommendations - information:

Yes

Advisers providing information, advice, recommendations - specialist or expert advice:

Yes

Advisers providing information, advice, recommendations - recommendations:

Yes

Text box for comments:

The NNPCF would strongly recommend that specialist advisers on disability and special educational needs should provide the information, advice and recommendations to the regulator as required.

20 Do you think there are other advisory roles that advisers could usefully undertake in supporting the regulator to deliver its functions?

Yes

Text box for comments:

Advisers should support the regulator to understand how different policy areas overlap in order to ensure early and effective identification of need, holistic assessment and better life outcomes for children and young people with SEND.

21 Do you think there should be any limitations on the role that advisers can play in supporting the regulator to deliver its functions?

Don't know

Text box for comments:

22 Do you agree that Social Work England should have a rule-making power to set out the detail about the appointment of advisers?

Yes

Text box for comments:

Operation and oversight of the regulator - Information and advice

23 Do you agree that Social Work England should be required in regulations to provide specific information about its core regulatory functions for:

Provision of specific info about core regulatory functions - the public:

Yes

Provision of specific info about core regulatory functions - registrants:

Yes

Provision of specific info about core regulatory functions - education providers:

Yes

Text box for comments:

The NNPCF would welcome transparency regarding Social Work England's regulatory functions and believes that this information should be made available to all parties.

24 Do you agree that Social Work England should be required in regulations to prepare and publish a strategic plan?

Yes

Text box for comments:

The NNPCF currently works with the Department for Health and Department of Education to support the development of better life outcomes for children and young people affected by SEN and disability. As parent carers we are experienced individuals who work strategically to shape services and policy through the model of coproduction.

The NNPCF would welcome the opportunity to influence any strategic plan that Social Work England would be required to prepare/publish with regards to children and young people with SEND.

25 Do you agree that Social Work England should be allowed through regulations to determine the relevant period to which its strategic plan will apply?

Yes

Text box for comments:

Strategic plans should be reviewed regularly to ensure that they are having an impact.

Operation and oversight of the regulator - Fees

26 Do you agree that the regulations should provide for Social Work England to set out the detail about how it will charge fees in relation to registration in regulatory rules?

Don't know

Text box for comments:

27 Do you agree that the regulations should provide for Social Work England to set out the detail about how it will charge fees in relation to approval for education and training courses in regulatory rules?

Don't know

Text box for comments:

Operation and oversight of the regulator - Regulatory rules

28 Do you agree that there should be an oversight process only for certain rules?

No

Text box for comments:

Protecting the most vulnerable members of our society is extremely important. Therefore, the NNPCF would like all regulatory rules to be subject to the oversight process.

29 If so, which regulatory rules do you think should be subject to an oversight process?

Text box for comments:

30 Which of the three possible processes outlined do you think is most appropriate?

public consultation followed by a specified period in which the Secretary of State can review content, rules would come into force after a specified period unless the Secretary of State objected

Please provide reasons for preferred choice here:

The National Network of Parent Carer Forums (NNPCF) is made up made up of local Parent Carer Forums from across the 152 Local Authority Areas of England, and has a steering group which consists of 10 Parent Carer Representatives from each of the nine regions in England, and the Co-chairs of the Network. We represent children and young people (birth-25 years) and are pan disability. Responding to public consultations on areas that affect children and young people with SEND is an important part of our work.

We believe that central and local government (and service providers) should listen to the views, wishes and feelings of children and young people with SEND and their parent carers as this leads to be services which met needs and deliver better outcomes.

31 Do you have any suggestions for alternative scrutiny processes for Social Work England's regulatory rules?

No

Please provide suggestions here:

Operation and oversight of the regulator - Duty to co-operate

32 Do you agree that Social Work England should be required to co-operate with the range of organisations set out in the draft regulations?

Yes

Text box for comments:

Joint working and cooperation between partners agencies including service users organisations is extremely important.

33 In addition, do you think that Social Work England should be required to co-operate with:

Duty to co-operate with police, NHS bodies etc - relevant inspectorates (e.g. Ofsted and the Care Quality Commission):

Yes

Duty to co-operate with police, NHS bodies etc - the police:

Yes

Duty to co-operate with police, NHS bodies etc - NHS bodies (e.g. the NHS Commissioning Board; clinical commissioning groups; and NHS trusts or NHS foundation trusts):

Yes

Duty to co-operate with police, NHS bodies etc - the Disclosure and Barring Service (DBS):

Yes

Text box for comments:

34 Are there any other bodies that you think that Social Work England should be required to co-operate with?

Yes

Text box for comments:

National Networks of Parent Carer forums

Education establishments

Operation and oversight of the regulator - Default powers

35 Do you think that the level of detail about the scope of the Secretary of State's powers with regard to default powers and remedial directions, including the power to appoint advisers, is sufficient?

Don't know

Text box for comments:

36 If not, what further detail would you expect to see in regulations?

Text box for comments:

37 Do you agree that the Secretary of State should have powers to publish the remedial direction and the action required?

Don't know

Text box for comments:

38 Do you agree that the Secretary of State should be required, through regulations, to appoint an independent person/s to take registration and fitness to practise decisions where they are delivering the functions of the regulator?

Yes

Text box for comments:

Operation and oversight of the regulator - Role of the Professional Standards Authority and funding

39 Do you think that the level of detail in regulations about the scope of the PSA's oversight role is sufficient?

Yes

Text box for comments:

40 If not, what further detail would you expect to see in regulations in relation to this area?

Text box for comments:

41 Do you agree that Social Work England should fund the PSA on the same basis as other health and care regulators?

Yes

Text box for comments:

Impact assessment

42 How do you think that the proposed changes will affect the costs for your organisation or those you represent? Please explain your answer and provide an estimate of impact if possible.

No change to costs

Text box for comments:

N/A

43 Do you think that the proposed changes will bring particular benefits for your organisation or those you represent? Please explain your answer and provide an estimate of impact if possible.

Yes

Text box for comments:

Better service experience for parent carers of children and young people with special educational needs and disabilities (SEND).

Better life outcomes for children and young people with special educational needs and disabilities (SEND) as they prepare for adult life.

Equality analysis

44 Do you think that any of the proposals would help achieve any of the following aims:

Will proposals have equality impacts - Eliminating discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010:

Yes

Will proposals have equality impacts - Advancing equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it:

Yes

Will proposals have equality impacts - Fostering good relations between persons who share a relevant protected characteristic and persons who do not share it:

Yes

Text box for comments:

45 If you have answered 'yes' to any of the above questions, could the proposals be changed so that they are more effective?

Text box for comments:

As parents of children and young people with SEND we want our children to have the same opportunities as their peers, to live full and rewarding lives.

Disabled children are children in need due to their disability and are therefore entitled to be assessed for social care support. Often this support is not available or the support offered does not meet needs.

Any changes to Social Care regulations that enables our children and families to have better life outcomes is welcomed.

46 If you have answered 'no' to any of the above questions, please explain what effect you think the proposals will have and whether you think the proposals should be changed so that they would help achieve those aims?

Text box for comments: