

BASW
England

SWU Social
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Union



Consultation Response

Social Work England:
Revised rules and
standards for social work

The British Association of Social Workers (BASW) is the professional association for social work in the UK with offices in England, Northern Ireland, Scotland and Wales. With over 20,000 members we exist to promote the best possible social work services for all people who may need them, while also securing the well-being of social workers working in all health and social care settings.

BASW is the custodian of the UK Code of Ethics and the Professional Capabilities Framework (PCF) for social work in England. All social workers in the UK should follow the professional code of ethics which is based on the global code of ethics and definition of social work. The PCF is the overarching framework for social work learning, development and excellence at all levels from student to strategic social worker. It was developed and is used by the social work profession as a whole in England to uphold fundamental standards, promote social work as one profession across all specialisms and to engage and motivate social workers to pursue ongoing professional development and ambitions for excellence. In 2018, BASW refreshed the PCF in conjunction with representatives from across our sector. The relationship between the PCF and the Chief Social Workers' Knowledge and Skills Statements (for both adults and children and families) was confirmed in a joint letter between BASW, the Department for Education and the Department of Health and Social Care.

Social Work England's standards provide an essential threshold for public protection. We contend they should align with the professional Code of Ethics and the PCF.

Response to draft professional and education standards

This response was completed in conjunction with the Social Workers' Union (SWU) and representatives of their membership. SWU is the only UK trade union for, and run by, qualified and registered social workers. SWU works in partnership with BASW to ensure social work professionals have professionally informed representation in their workplace that adheres to the Code of Ethics. This response reflects the views of both organisations and should be read in conjunction with our previous consultation response from April 2019.

BASW England and SWU welcome Social Work England's latest draft documents on the rules and standards for social work. After consultation with our membership, our response is as follows:

Professional standards & relevant guidance:

Having considered the revised professional standards, members have the following comments, concerns and queries:

2.1 & 6.3 This standard still needs to be reworded, as it could be interpreted that social workers start from a position of dishonesty. Our suggested rewording is: *"Speak up when things go wrong which have or may have caused physical, emotional, financial or any other harm or loss"*.

2.2 'Maintaining professional relationships' remains a subjective term and is therefore open to interpretation. A clear definition of 'professional relationships' in the guidance would be helpful. We suggest the phrase used should be 'effective professional relationships'. The Code of Ethics for social workers in the UK states that:

“Social workers should build and sustain professional relationships based on people’s rights to control their own lives and make their own choices and decisions. Social work relationships should be based on people’s rights to respect, privacy, reliability and confidentiality. Social workers should communicate effectively and work in partnership with individuals, families, groups, communities and other agencies. They should value and respect the contribution of colleagues from other disciplines.” This statement should be incorporated into the guidance to explain what is meant by maintaining effective professional relationships.

Further clarity about what is appropriate in professional relationships would help to promote appropriate boundaries.

2.6 This passage should read: ‘will work with colleagues to promote social justice...’

2.9 There need to be clear guidelines about how registrants will be protected from or be able to appropriately challenge malicious/false allegations, how they will be able to redress matters with the regulator if they are found not guilty of a criminal offence and how their public reputation will be protected unless found guilty.

3.8 We remain unconvinced this standard is realistic (particularly given the climate of austerity and public sector cuts) or possible to uphold as a regulatory standard. More support is needed for social workers to challenge resourcing levels and contribute their views. It is not appropriate for the regulator to (in effect) add responsibility for matters outside of their control. We would suggest the following form of words: ‘Raise with my employer, or the appropriate authority, any resourcing or operational difficulties that may compromise safe practice and contribute to a positive course of action and solutions where possible.’

4 We suggest adding a standard stating: ‘I will seek support if I am unable to maintain my continuous professional development’

4.1 Further clarity on what ‘feedback from a range of sources’ entails or possibly give examples. We strongly support the emphasis on service user feedback and approaches to gaining this should be clear in guidance.

5.2 This standard seems both worryingly unclear and potentially exceedingly onerous. We accept that behaviour out of work should not contravene basic professional standards and the code of ethics. However, this implies that social workers are ‘on duty’ 24 hours per day and 7 days per week and should behave in the same way in and out of work. Greater clarity is needed on what would constitute ‘unsuitable behaviour’ – particularly outside of work. This is a human rights issue, as the right to a private life that does not cause significant harm or otherwise contravene our ethics should be cross-referenced.

5.7 It is not clear this is in accordance with Article 10 of the Human Rights Act 1998 and the freedom of expression of social workers. For instance, social workers should not be disproportionately judged for having an unpopular sense of humour or minority view on social media. Nor should they be ‘on duty’ 24 hours per day and 7 days per week. However, we do believe individual professionalism and organisational standards needs to be incorporated in responsibilities for public communication - not just bringing the profession into disrepute. Our suggested re-wording is: *“I will... ensure that social media and other public communication about my work or the social work profession is ethical, lawful and respectful and does not bring the profession into disrepute”*.

6 This section should start with: ‘As a social worker I will seek support to....’

Having considered the proposed professional standards, we still have concerns about the negative connotations of ‘I will not’ statements (cross-reference with Standard 5), rather than the positive affirmations of ‘I will’. The subtext should be revised to ensure Standard 5 is about upholding trust in social work practice and the social work profession.

Having considered the revised professional standards and supporting guidance, we believe the following are still missing:

- Information about the specific support that Social Work England provides to registrants.
- There is no mention of the importance of the PCF or career progression to promote learning and development.

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- Links to case studies outlining the consequences of not complying with professional standards within the guidance would be helpful.
- There is no explicit requirement for practitioners to be familiar with nor comply with relevant legislation and policy within their context of work in the standards – only in the guidance.
- Although we recognise Social Work England do not regulate social work employers, we believe it is essential the regulator's expectations of employers is clearly outlined to enable social workers to comply with the professional standards. Also, the professional standards could provide some guidance on suitable working conditions/environments which are conducive to promoting best practice.
- A commitment to promoting 'self-care' and an acknowledgement of the 'emotional labour' social workers are exposed to.

Having considered the proposed professional standards, we have the following additional comments:

- Will there be easy-read, jargon-free and accessible versions for people who need them? This should be aimed at making the standards accessible to the general public and specifically to those who may use social work services, supporting clarity of public expectations upon social workers and a shared language of accountability and what 'good' looks like.
- The 'About Us' section could usefully acknowledge that Social Work England regulates individual social workers and courses, and these standards don't take account of the context. It is therefore the social worker's responsibility to seek support to raise issues about the context they work in and employers should follow the Local Government Association Standards for Employers of Social Workers.
- The supporting guidance should include that: social workers need to be aware of legal rights to advocacy; 'all' social workers follow code of ethics - not 'many'; social workers must respond to harm, neglect or abuse in a person-centred way; there should be a balance in supervision between management and clinical supervision; reflection cannot be free from own values and social workers should be aware of their own values...
- The standards should acknowledge that Government and employers need to be more accountable for the barriers to safe practice and the positive outcomes identified by social workers.
- Organisational structures often contradict and compromise social work values (and standards) leaving social workers routinely vulnerable to scapegoating individually and as a professional group.
- Greater detail is needed on how social workers might respond in practice to the expectation to challenge inequality (1.7); pursue social justice (1.8) or become involved in resourcing issues (3.8). We believe social workers should be engaged in resolving these social problems. However, as regulatory standards, these are wide-ranging issues that are largely outside of an individual social worker's control, yet the implication appears to be that social workers may be disciplined for not challenging them. Also, we would encourage the term 'whistle-blowing' be used, as those who do act in this way in good faith and are protected by the law.
- It remains rather unclear how these standards would apply to/be met easily by social workers working in the voluntary and private sectors, or those working independently in diverse contexts. These sectors are not mentioned at all in the standards or guidance. Throughout, the language seems to take statutory direct social work in local authority or closely related settings as the default. Best estimates are that at least half of social workers in England are working in non-local authority and/or non-statutory roles and settings e.g. in the private and voluntary sectors, healthcare, management/leadership or otherwise not in direct practice in a local authority. These standards must work equally well for social workers in all contexts or risk an exodus from the register.

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- On page 1 of the guidance, the way the word 'people' is defined and then used is limited. There should be acknowledgement that in addition to working with people with lived experiences and cares, that social workers also work with other professionals/group/agencies and that professional standards also apply to these relationships.
- On page 2 of the guidance, the Children and Social Work Act should be 2017 not 2007. There is no mention of the Care Act 2014 or mental health legislation which seem to be glaring omissions. It may useful to state the legislation listed is not an exhaustive list and highlight the importance of accompanying policy.
- On page 2 of the guidance, we would like to see 'marriage and civil partnership' changed to 'relationship status' – as this currently excludes those who are either single, widowed or divorced etc.
- In relation to page 9 of the guidance, in reality, decision-making will always be biased. We suggest inclusion of the following wording: 'listen, be aware of bias, be critically reflective, seek advice, be transparent'.
- It would be useful to include the importance of 'proportionate recording'.
- In the 'reporting concerns' section of the guidance, the wording should read: 'social workers should seek support to report...'
- There needs to be more explicit discussion about anti-oppressive practice – power is mentioned only once in the standards and once in the guidance. This key aspect of social work values and ethics needs to have greater acknowledgement.
- Only social workers are referred to in the standards. Given that student social workers need to work towards these standards, and may at some point be registered, there is either a need to acknowledge this within these standards or have separate guidance for students.
- There should be recognition that social workers work with in partnership with other professionals/groups/agencies and that professional standards also apply to these relationships. For example, in standard 2 'establishing and maintaining the trust and confidence of people' includes people beyond service-users and carers.
- There needs to be more direct acknowledgement of the dual role social workers have in terms of care and control. For example, social workers do their utmost to support and empower people, but at times they must take the lead in balancing the rights of different people involved, particularly in safeguarding situations, when using authoritative and rights-based approaches are paramount.
- Encourage social workers to join BASW as the professional association for social workers to promote cohesion within the profession and be the collective voice for practitioners.
- There is no reference to proficiency in 'digital technologies'. Information technology is mentioned, but the language used in health professions is 'digital skills' or 'capabilities'. This omission is therefore inconsistent with other professions. More inclusion of 'digital technologies' within the standards is essential given its increasing importance in social work.

Guidance on practice placements for social work students 2020:

- We are pleased to see that the PCF is strongly cross-referenced throughout the guidance.
- Section 2.1 ii outlines a requirement for at least one of a student's placements to be in a statutory provision. Of course, this experience would benefit students enormously and support their professional development. However, and unfortunately, we would question the feasibility of this in reality given the current difficulties experienced by some education providers in securing statutory placements. More onus must be placed on

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statutory social work employers to provide sufficient numbers of student placements. We are pleased the definition of statutory placement reflects that statutory work can be carried out in different sectors (and not necessarily restricted to a local authority social work team), which is very reassuring. It is widely acknowledged that a lack of statutory experience impacts on newly qualified social workers' ability to gain statutory employment. We are pleased to see the inclusion of this requirement, but feel more must be done to create/maintain placement opportunities for education providers.

- There are some good examples of how private/voluntary/independent (PVI) placements may provide effective learning environments for students to carry out statutory work in their final placement. However, it would be helpful to have more guidance about the combination of first and second placements, how these should be organised and in what settings.
- The emphasis on providing students with one adult and one children and families placement and the shift towards providing *contrasting experiences* in Section 2.3 is interesting. This may potentially be beneficial for some education providers who have struggled to identify specific practice learning experiences in both children and adult settings.
- The detail in Section 2.5 about the DBS process prior to students being accepted on placement is useful, particularly where an agency carries out their own DBS check in addition to the one completed by the education provider. This recognises that education providers may need to consider their DBS checking process and approach to dealing with potential differences of outcome between them and placement agencies.
- The Readiness for Practice guidance in Section 2.6 is helpful and is linked well to the BASW work on Practice Educator Professional Standards (PEPS) and the vital role of the Practice Educator. However, there should be mention of Independent Practice Educators and the education provider's role in supporting and updating them as they assess and support students on placement.
- It would be helpful if the breakdown for 'Days spent in practice settings', outlined on page 2, was also included in section 2.6.
- Section 3.2 clearly outlines the expectations and importance of placement providers and underlines the significance of safety policies and procedures for students.
- The 'skills days' appear to be optional. This will be an interesting point for education providers to consider regarding whether to retain the 'skills days' or go back to increased days on placement.
- Sections 3.2 and 4.3 would benefit from using the wording 'individual learning plans'.
- We believe there is clarity and detail about the role of Practice Educators within the guidance, but little explanation of the Practice Supervisor's role. It would be helpful for this to be re-balanced within the guidance. Also, further detail on what the Practice Supervisor's role should entail and the kind of training education providers need to provide to them (particularly in newly created placements) is essential.
- It would be helpful to emphasise to education providers that non-statutory placement providers (like schools or migrant help centres) are clear what the social work role entails, so it can be embedded within the internal and external context of their placements. This would involve creating a framework of enabling and encouraging the student to practice social work (within the limits of the placement), rather than the student undertaking what other non-social work staff members undertake or being utilised as an 'extra resource'. We understand this may be difficult, but some clarification or clear guidance from Social Work England on this and appropriate training could improve the quality of non-statutory placements.

Education and Training Standards & Guidance 2020:

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- The standards and guidance emphasise the approval and monitoring role of Social Work England, rather than setting rigorous requirements for education providers. It will be interesting to find out more about how the standards themselves will be monitored and regulated if the recommendations set are not being fully complied with by education providers.
- In Section 1.4 of the Guidance, it mentions that students should be asked to declare if they have a driving licence and use of a car as part of the admissions process. This is an interesting development, as education providers may refer to this implicitly as part of the student selection process - rather than requiring an explicit declaration. As students become more affected by austerity and high university fees, we are aware there are less students who can afford their own car, so this may pose quite a constraint if this becomes essential to being accepted on a social work course.
- Section 4.3 should take into account students 'individual learning plans' (ILP). BASW recommends Social Work England integrates the terminology used by education providers into relevant guidance documents. We are aware some social work students have experienced many difficulties with education providers to ensure their teaching is accessible. Unless Social Work England use the language that within the education system, there may be some confusion as to what is meant by 'equality, diversity and inclusion principles' – as these are too broad. By using the term 'ILP' this would ensure that all students individual learning needs are met.
- The final standard refers to the level of entry point for registering as a social worker, although we believe it would be helpful to outline any accepted exit points where students unable to complete the undergraduate or postgraduate degree may gain an alternative recognised certificate.
- We make no comment about the Education and Training Standards for 2019, as they appear to be a continuation of what is already in place.

Guidance on Assessment of Social Work Students 2020:

- In Section 4.8, we would like to see more consideration given to how service-users and people with lived experience can be involved in the assessment process; including how their feedback on a student's performance on placement can be ascertained. The processes currently in place can feel like a tick-box exercise and could be more meaningful.
- Section 4.10 correctly refers to the importance of providing students with feedback in a timely and meaningful way. We also feel there needs to be reference somewhere to the importance for practice educators to receive constructive feedback on their performance as assessors and educators.

For further information please contact:

Co-ordinator of members' responses and compilation
 Wayne Reid
 BASW England Professional Officer
 British Association of Social Workers
wayne.reid@basw.co.uk