



# Reshaping Standards, Enabling Change

## Equality Impact Assessment

Last updated 31 July 2019

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## Introduction

Social Work England is the new, specialist regulator for social workers in England. Between 21 February and 1 May 2019, we held a public consultation on our [rules and standards](#) that will be implemented when we become the regulator in December.

This equality impact assessment sits alongside our consultation response. It is a written record that shows how we have taken care to eliminate unlawful discrimination and promote equal opportunities.

### Brief outline of our rules and standards

Our professional standards set out the requirements we expect social workers to meet. They set out what a social worker in England must know, understand and do. Students who qualify to become social workers must be able to meet these standards when applying to join the register for the first time.

Our qualifying education and training standards set out the requirements that we expect social work education and training providers to meet. These standards will be used to assess, approve and reapprove courses in England and apply to all routes to becoming a qualified social worker.

Our rules outline what social workers can expect from us as the regulator of the profession. Our education and training rules set out the process for how we will approve and reapprove social work courses. They also set out how we will approve courses for people who wish to become an approved mental health professional or best interest assessor.

Our registration rules explain what we will need from social workers who register with us and how the registration processes will work. This includes the process for appeal against a registration decision. Our rules also set out the registration renewal period, requirements around continuing professional development (CPD), and how we collect fees.

Finally, our fitness to practise rules set out what will happen when someone raises a concern about a social worker.

## Equality impact assessment

We are committed to monitoring and promoting equality across our organisation. We have reflected on the feedback from our consultation to assess both the positive and negative impacts that may arise as a result of our proposals.

In this section we address:

1. The professional standards alongside the registration and fitness to practise rules.
2. The qualifying education and training standards and rules.

### Professional standards, registration and fitness to practise rules

As part of the equality impact assessment we found that social workers and the public from some protected characteristic groups could be impacted negatively. These impacts relate to:

- The effect that specific standards may have on a social worker's registration and fitness to practise.
- Potential barriers to people raising a fitness to practise concern and participating in the fitness to practise process.

These areas are set out below along with the action we will take and any protected characteristic groups that could be affected.

#### **Registration**

Social workers with disabilities may feel that they are negatively affected during registration and renewal by having to declare a health condition.

The test in the registration rules relates to possible impairment of fitness to practise by reason of health. Disability is not the test. Our guidance will make it clear that it is for the applicant to determine whether their health condition should be declared. We will not publish a list of health conditions that should or should not be declared. Officers dealing with registration and renewal will be provided with training and guidance on the application of our rules. The registration rules will allow a social worker with a disability or health condition to be registered with conditions and continue to practise when it is safe for them to do so.

People who have limited English or English as a second language may be concerned that their opportunity to register as a social worker is reduced because of the requirement to demonstrate a good command of English.

The Social Workers Regulations 2018 set out that English language proficiency is a key element in safe and effective social work practice. The government's Code of Practice: (English Language Requirements) for Public Sector Workers also sets out the general requirement for people in front line, public facing roles to communicate effectively in English. Registrants can demonstrate language competence in different ways, including the International English Language Testing System test. Our rules will ensure that the existing registrants will be given time to bring their English language proficiency up to the required standard.

Social workers who are on maternity leave may feel that they are adversely affected by the requirement to demonstrate that they have met the CPD requirements. Officers evaluating CPD during registration renewal will be provided with training and guidance on the application of our rules. We will consult the public on our proposals for CPD, including how we may handle exceptional circumstances.

### **Fitness to practise**

Social workers with disabilities may be concerned that they will be negatively affected by the fitness to practise process because of the requirement to declare anything that might affect their fitness to practise or ability to do their job competently.

Throughout the fitness to practise process, reasonable adjustments will be made to meet individual needs, and support will be provided to registrants, including signposting to support agencies.

At the triage stage, any health and accessibility requirements will be taken into account. We will consider whether a condition is being managed. Accepted disposal outcomes will allow fitness to practise cases to be concluded without a hearing when the social worker accepts the facts and proposals made by the regulator.

During hearings, our rules will allow adjudicators to be flexible to meet people's needs. Hearings will be conducted privately when health related issues are being considered. Hearing rooms will be fully accessible, and access support will be made available as appropriate. Where disability prevents travel to Sheffield, we will consider holding hearings elsewhere or for people to present evidence by video link.

Social workers who have limited English or English as a second language may be concerned that they may be negatively affected by fitness to practise concerns being raised because of the requirement to demonstrate a good command of English.

As mentioned above, the Social Workers Regulations 2018 set out that English language proficiency is a key element in safe and effective social work practice. Registrants can demonstrate language competence in different ways, including the International English Language Testing System test. Our rules will ensure that existing registrants will be given time to bring their English language proficiency up to the required standard.

Older people may be concerned that they will be negatively affected by the fitness to practise rules which take account of a social worker's previous fitness to practise history when making a decision. At the triage stage, fitness to practise processes will take account of individual circumstances when initially considering a fitness to practise concern.

### **Raising fitness to practise concerns**

The online process for raising fitness to practise concerns has been designed to be easy to use. We recognise that some groups are more likely to be digitally excluded and unable to use the online process.

We will put in place alternative arrangements and support will be available to enable people to raise fitness to practise concerns offline.

### **Fitness to practise hearings**

When fitness to practise hearings take place, there will be a requirement for witnesses and informants to attend hearings in Sheffield.

Where disability prevents travel to Sheffield, options to hold hearings elsewhere or for people to present evidence by video link will be considered. Hearing rooms will be fully accessible, and appropriate accessibility support will be made available to address individual needs.

Our approach to reasonable adjustments will ensure that we consider and address, as appropriate, individual needs, including communication.

## Education and training standards

As part of the qualifying education and training standards, higher education institutions must involve people with lived experience of social work in the student admissions process and in the design, delivery and review of social work courses. This will help students to gain a better understanding of the impact that social workers have on people's lives. It will also mean that course content and outcomes are better aligned to meet the needs of people, including people from protected characteristic groups.

The standards require higher education institutions to provide support to people from protected characteristic groups. This includes educational and pastoral support; reasonable adjustments for students with health conditions or impairments; and courses designed in accordance with equality, diversity and inclusion principles and human rights frameworks.

As part of our rules to approve and reapprove social work courses, we will consider how well a higher education institution meets its equalities duties and how the organisation obtains feedback from a diverse group of students. This will ensure that courses remain fit for purpose, and that students leave their education setting with the skills to become a practising social worker.

Our rules and standards are intended to have a positive impact by increasing public confidence in the social work profession. We have assessed that there are potential negative impacts on students from some protected characteristic groups. These impacts relate to:

- The impact that specific standards may have on a student's admission onto a course.
- Potential barriers to students successfully completing all aspects of a course.

### **Admissions process**

Some candidates may find it more difficult to demonstrate that they meet the admissions requirements as part of the assessment process due to health conditions or impairments, age or where English isn't their first language.

All students admitted to a course must be able to demonstrate that they have the capability to develop the knowledge and skills necessary to meet the professional standards and registration requirements upon qualifying.

Higher education institutions will need to ensure that there are equality and diversity policies in relation to applicants, and that they are monitored.

The admissions process implemented by higher education institutions will be monitored by Social Work England as part of the approval and reapproval of courses.

## Placement requirements

The requirement to spend 200 full days in practice may be more difficult to fulfil for students from some groups.

Higher education institutions will need to make supportive and reasonable adjustments for students with health conditions or impairments, students who are pregnant, and students with caring responsibilities<sup>1</sup> to enable them to progress through their course and meet the professional standards, in accordance with relevant legislation.

They should also have clear policies in place in relation to pregnancy and maternity, in line with legal requirements. They will need to ensure that there are equality and diversity policies in relation to applicants, and that they are monitored (qualifying education and training standard 1.4). They will need to ensure that on placement, students have appropriate supervision and support.

Placements organised by higher education institutions will be monitored by Social Work England as part of the approval and reapproval of courses.

## Sign off

This equality impact assessment has been undertaken and signed off in accordance with Social Work England's responsibilities under the Public Sector Equality Duty, as set out in the Equality Act 2010.

<b>Name</b>	Nadine Pemberton
<b>Title</b>	Executive Director, Legal Social Work England
<b>Date approved</b>	31/07/2019

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<sup>1</sup> 78% of carers identify as female - State of Caring 2018. [www.carersuk.org/stateofcaring](http://www.carersuk.org/stateofcaring)