

Registers of child welfare reporters, curators ad litem and solicitors appointed when a person is prohibited from conducting their own case

The Scottish Social Services Council is the regulator for the social work, social care and early years workforce in Scotland. Our work means the people of Scotland can count on social services being provided by a trusted, skilled and confident workforce.

We protect the public by registering social service workers, setting standards for their practice, conduct, training and education and by supporting their professional development. Where people fall below the standards of practice and conduct we can investigate and take action.

We:

- publish the national codes of practice for people working in social services and their employers
- register people working in social services and make sure they adhere to the SSSC Codes of Practice
- promote and regulate the learning and development of the social service workforce
- are the national lead for workforce development and planning for social services in Scotland.
- Are an ONS statistics provider

Our response to the present consultation will focus on the questions relating to the proposed register for child welfare reporters.

Consultation questions

Question 1) Who should provide the operation and management of the register of child welfare reporters? (please select one answer).

(b) the Scottish Government should contract this out to a third party

Why did you select your answer?

It is our view that the role carried out by CWRs is similar to that carried out by Safeguarders. Scottish Government awarded Children First the contract to manage their recruitment, training and appraisal and this model appears to have worked well.

Question 2) Do you agree/disagree with the proposed process for including an individual on the register of child welfare reporters?

Agree

Why did you select your answer?

The proposed approach appears to be designed to ensure that opportunities are taken at the initial stage of the recruitment process to avoid bias and promote diversity of applicants and of the workforce through the use of anonymised sifting. The proposed approach is also consistent with the recruitment principles we promote to social service sector employers through our [Safer Recruitment Through Better Recruitment](#) guidance which was developed with the Care Inspectorate.

Question 3) Do you agree/disagree that child welfare reporters should be included on the register for a three year period?

Agree

Why did you select your answer?

The three-year appointment term would be consistent with the appointment term for safeguarders. If CWRs are to be registered, it would be prudent for it to be undertaken by Children First who maintain the register for safeguarders. Should Children First take on the registration of CWRs it would seem sensible for the appointment terms to be the same.

Question 4) Do you agree/disagree with the proposed reappointment process for child welfare reporters?

Agree

Why did you select your answer?

It is reasonable that reappointment should be seen as an opportunity to assess the continuing suitability of individuals included on the register of CWRs. We impose continuous professional learning requirements on all workers registered with us to ensure they maintain up to date knowledge and skills and the proposed reappointment process mirrors our own.

Question 5): For each of the following categories of people, should they be ineligible for inclusion on the register of child welfare reporters?

Please select yes/no/don't know for each option

an individual directly involved in the establishment, maintenance, operation or management of the register of child welfare reporters - Yes

an individual employed by the SCTS - Yes

a member of the judiciary - Yes

a member of the Scottish Government or junior Scottish Minister -
Yes

an individual barred from regulated work with children by virtue of the Protection of Vulnerable Groups (Scotland) Act 2007- Yes

Why did you select your answers?

The proposed exclusions seem sensible and would ensure that the registered workforce is safe to practice and also that the potential for conflict of interest will be minimised.

Question 6) Is there anyone else who should be ineligible for inclusion on the register of child welfare reporters?

Yes

If you answered yes please provide details.

Individuals that have been removed from our register, or the register of any other professional regulator, for reasons relating to fitness to practise should also be excluded. Checking whether individuals have been removed from a professional register under such circumstances should be a part of the process.

Question 7) Do you agree/disagree with the approach proposed when an individual is removed from the register of child welfare reporters?

Agree

Why did you select your answer?

We welcome the Government's understanding of the need to refer to an individual's professional regulator if there are concerns over that individual's practice.

Question 8) Do you agree/disagree with the proposed requirements that a person must satisfy in order to be included on the register of child welfare reporters?

Agree

Why did you select your answer?

The proposed requirements in relation to experience, qualification and training represent a broad range of skills and knowledge that we would expect a child welfare reporter to hold. However, it is also worth reinforcing that, the training regarding ascertaining the views of the child in relation to the child welfare reporter's report should be done with the principles of the UNCRC and GIRFEC in mind.

Question 9) Are there any other requirements that a person must satisfy in order to be included on the register of child welfare reporters?

Yes

Please give the additional requirements you feel are necessary and why you feel they are important.

It would seem appropriate, given the recent legislative activity around the UNCRC, that CWRs have an understanding of the broad principles of children's rights as enshrined in international law.

Question 10) Do you agree/disagree that existing child welfare reporters having to apply to be on the new register?

Agree

Why did you select your answer?

Making it mandatory for existing CWRs to apply for inclusion on the new register would give confidence that all those individuals so registered meet the minimum standards expected of them. While it is unlikely that current CWRs would fail to meet these standards, reapplication would ensure that opportunities for development of current CWRs are not missed and would also allow for a more diverse range of people to be included on the register of CWRs. Should existing CWRs be automatically included on the register, this could potentially reduce the number of CWR roles available to better, more qualified candidates.

Question 11) Do you agree/disagree with the proposed training requirements for child welfare reporters?

Agree

Why did you select your answer?

Continued training, in the areas proposed, will ensure that all registered CWRs have up to date knowledge of child welfare issues and would be able to continue producing high quality reports which properly reflect the views of the child.

Question 12) Is four days of paid training per year for child welfare reporters appropriate?

Don't know

Why did you select your answer?

We have no comment to make in relation to this question.

Question 13) How should fee rates for child welfare reporters be applied?

Don't know

Why did you select your answer?

We have no comment to make in relation to this question.

Question 14) Do you have any comments on the proposed policy in relation to expenses for child welfare reporters?

No

Question 15) When a child welfare reporter is selected should this be:

The next person on the register

A person with specific areas of expertise requested by the court

Through another system

Why did you select your answer?

We have no comment to make in relation to this question.

Question 16) Should a child welfare reporter provide recommendations on what is in the best interests of the child in their report?

Yes

Why did you select your answer?

Providing a dispassionate, neutral view on what the best interests and views of the child are is the purpose of appointing a child welfare reporter. If the child welfare report did not contain recommendations on the best interests of the child, they would not be fulfilling the duty required of their role.

Question 17) Do you have any comments on the proposed procedure for complaints from individuals who are unsuccessful when applying to be on the register of child welfare reporters or are removed from the register?

No

Please provide your comments.

The two-tier approach here appears to be proportionate, giving applicants the opportunity to have their application assessed by the appointment team responsible for the decision in the first place would provide a chance

for the team to review their decision, while the possibility of having the application looked at by a neutral team following this will ensure consistency in decision making by the regulatory body.

Question 18) Where a child welfare reporter has a grievance about fees or expenses or comments on their appraisal should this be dealt with by the body appointed to operate and manage the register?

Yes

Why did you select your answer?

If a child welfare reporter raises a complaint about fees, expenses, training, etc. this should be handled by the registering body. If complaints about fees, etc. were to be handled elsewhere the process could become overly bureaucratic. The registering body should have the requisite information to hand regarding the child welfare reporter's fees, etc. to address any complaints more expediently than another body.

Question 19) Do you have any comments on the proposed procedure for complaints about child welfare reporters?

No

**Scottish Social Services Council
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