Title of report	Return to Practice Requirements (RTP) model for approval
Public/Confidential	Public
Summary/purpose of report	This report summarises the development of the new Return to Practice (RTP) requirements. It includes details from consultation and subsequent changes to the requirements.
Recommendations	The FPP Sponsor group are asked to approve the RTP requirements
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Responsible Officer	Laura Lamb, Acting Director, Workforce, Education and Standards
Link to Strategic Plan	The information in this report links to: Outcome 1: **Trusted** People who use services are protected by a workforce that is fit to practise. Outcome 2: **Skilled** Our work supports the workforce to deliver high standards of professional practice. Outcome 3: **Confident** Our work enhances the confidence, competence and wellbeing of the workforce. Outcome 4: **Valued** The social work, social care and children and young people workforce is valued for the difference it makes to people's lives.
Link to Risk Register Risks as of 01 August 2023	Risk 1: We fail to ensure that our system of regulation meets the needs of people who use services and workers. Risk 2: We fail to ensure that our workforce development function supports the workforce and employers to achieve the rights standards and qualifications to gain and maintain registration.

	Risk 3: We fail to meet corporate governance, external scrutiny and legal obligations.
	Risk 4: We fail to provide value to stakeholders and demonstrate our impact.
Impact assessments	1. An Equalities Impact Assessment (EIA) was developed.
	2. A Data Protection Impact Assessment (DPIA) was not required.
	3. A Sustainability Impact Assessment (SIA) was not required.
Documents attached	None
Background papers	BP 1 - Return to Practice guidance
	BP 2 -EQIA

EXECUTIVE SUMMARY

1. In November 2022 Council approved the proposal to develop return to practice requirements for social workers to ensure that those who have been out of social work practice for a period are fit to practise on their return. It was agreed the amount and nature of learning required for social workers returning to practice will be tiered according to the length of time out of practice.

2. The requirements will be formed of a combination of supervised practice, formal learning, and informal learning. Social workers returning to practice will be required to complete a certain number of hours of each depending on which tier they fit into.

3. Return to practice requirements are not for individuals who have qualified but never practiced. Those individuals will have to complete the newly qualified social worker supported year Continuous Professional Learning (CPL) requirements.

4. Return to practice requirements for function-based workers will be incorporated into the new model for CPL. The SSSC consulted on both sets of requirements through a formal 6-week consultation from September to November 2023.

5. This report presents the revised RTP requirements for social workers based on the consultation responses and further engagement with the sector and other regulators.

INFORMATION

6. It is recognised that social workers engage in a complex continuum of practice from early intervention to securing people's safety. The decisions they make in exercising these functions need to draw on a range of appropriate knowledge, skills, and evidence. They are expected to hold an extensive range of knowledge, theory, policy, and legislation as well as the skills and confidence to be able to manage the ethical dilemmas, complexity, competing demands and expectations of their professional role.

7. RTP requirements will support those who have been out of social work practice, and not registered for over two years, to upskill their knowledge, skills and competence. The return to practice process will support social workers to build their confidence, put their learning into practice and evidence that their practice is up to date. There will be social workers who are registered with the SSSC who are not employed or in practice,

however, they will still be undertaking the requirements of CPL for registered workers, so should be keeping their knowledge and skills up to date. They would not need to undertake RTP requirements if returning to practice or employment.

8. The importance of outcomes for individuals that social workers support is at the forefront of these requirements ensuring that those carrying out the statutory duties under the protected title of social worker are competent and confident to do so.

CONSULTATION OVERVIEW

9. Formal consultation on the proposed RTP requirements for social workers took place between September and November 2023. The overall response rate to the consultation was low, however, the proposals were informed through significant and extensive engagement with key stakeholders.

10. There were additional organisational responses to the formal consultation from the Office of Chief Social Work Adviser, Scottish Association of Social Work and Social Work England. The majority of survey responses came from social workers and employers.

11. The consultation was supported with focus groups attended by representatives of the Scottish Association for Social Workers, Social Work Scotland, and the Social Workers Union.

12. Analysis was undertaken internally using Power – Bi, alongside a thematic analysis approach to the written response. Feedback from the consultation suggested that the requirements needed further consideration and adjustment given concerns around recruitment and retention and employer structures.

13. The consultation was followed up with further engagement with the stakeholder advisory group and all the social worker unions to explore in more detail the feedback from the consultation and to explore possible solutions and changes to the anticipated barriers within the proposed RTP requirements.

CONSULTATION RESPONSES

14. The questions for consultation were grouped against three areas:
   - themes
   - learning requirements
   - evidencing the requirements

Themes

15.   The RTP requirements are based on the following four themes:
   - Current legislation and policy
   - Social work skills, knowledge, understanding and practice
   - The key codes and standards for practice
   - Adult and child protection

16.   Overwhelmingly, respondents said that the themes were easy/very easy to understand. The respondents also said that the themes were extremely relevant for a social worker preparing to return to practice.

17.   There was some caution in the qualitative responses to suggest that clear guidance about meeting the requirements would support individuals to understand what kind of learning would sit within the themes. Applicants will have access to the guidance, templates to record their learning and ongoing work with internal communications to provide information about the new requirements to the sector.

Learning Requirements

18.   Respondents felt that informal learning would be moderately to very achievable to evidence as this is easy to access, has no cost and does not require employment.

19.   In terms of formal learning, the majority of respondents felt it would be not at all or slightly achievable. Concerns were raised about availability of suitable formal learning especially if people were not registered or in employment. Concerns were also raised about the cost of formal learning if not provided through a workplace and that this could be a barrier to people looking to return to the register.

20.   For supervised practice, feedback from the consultation highlighted issues around access to practice opportunities. Concerns included inability to find placements with reference to the current challenges faced by social work qualification providers to find placements for programmes. Feedback also highlighted that employers may be unwilling or unlikely to support people who were not registered in a short-term placement which would be needed to allow them experience of social work functions.

21.   There were suggestions in the feedback that shifting the requirement to after registration would mean that employers would have to ensure returning social workers met the requirements, as well as providing reassurance that they were registered and able to take on work that was of a social work function.

Evidencing the requirements

22. In discussion with stakeholders most agreed that there needed to be clarity for registrants as to the type of evidence the SSSC would accept to meet the requirements. The importance of reflective practice was highlighted. The opportunity for people to consolidate their experience and upskill themselves on return to practice was also highlighted.

23. Informal Learning: The majority agreed that submitting a record of reflective learning would be sufficient to evidence meeting this requirement.

24. Formal Learning: The majority agreed that certification or endorsement of learning from an employer or learning provider would be sufficient as evidence to meet this requirement.

25. Supervised practice: The majority of respondents in the survey said it should be a social worker that endorses this. Feedback was clear in focus groups and meetings that it should be a social worker with the importance of professional identity at the forefront of this.

26. Respondents within the survey, as well as the focus groups and meetings, were clear that any requirement to achieve all of the practice requirements before registration would be not achievable or realistic. There was a concern that there would not be the infrastructure or employer support for supervised practice.

27. Feedback was that supervised practice would be much more achievable and natural in a post registration setting. There were concerns that setting such requirements would create unnecessary barriers especially to people who already have a relevant qualification for practice.

RTP REQUIREMENTS

28. The requirements have been revised in response to the consultation feedback.

29. The requirements can be evidenced through informal learning, formal learning, and supervised practice. A combination of the three ways of evidencing learning will be accepted to ensure that the individual's skills and knowledge are appropriately updated. They must also complete the minimum number of hours of supervised practice and formal learning (detailed in the table below) ensuring sufficient learning opportunities have been undertaken to meet the themes of the requirements.

30. If a social worker applies to re-register and it is assessed that they have met all RTP requirements at application stage they will be registered as normal. If they have not met all the RTP requirements they will be registered subject to a condition to meet all the requirements within 6 months of registration. This is a revision of the initial proposal which was that all RTP requirements should be completed before re-registration and evidence should be supplied at point of application. The decision to change this is based on the feedback from consultation.

31. Feedback from the consultation highlighted the difficulties people may face gaining the required supervised practice if they are not registered or able to work as social workers.

32. Consultation feedback highlighted those that apply to return to the register without being in employment may find it easier to access supervised practice through volunteering if registered subject to a condition rather than having to complete all requirements prior to application. This is because registration provides employers with reassurance regarding their fitness to practise. A six-month period would allow returning social workers reasonable time to evidence their requirements through induction and is in line with any probationary periods of employment. This also aligns with the timescale for compensatory measures as mentioned at paragraph 34.

33. Allowing social workers returning to practice to be registered, subject to a condition if all requirements have not been met at the point of application, will support social workers to secure employment opportunities to carry out the relevant social work tasks to evidence the themes required, in particular the supervised practice and formal learning requirements.

34. In terms of setting conditions for qualified social workers at application stage where their qualification does not fully meet the Standards in Social Work Education expected in Scotland, the SSSC have a policy precedent of those that hold specialist social work awards from England. In these circumstances the SSSC currently registers individuals subject to a condition to complete a compensatory measure. This approach also recognises that returning social workers already hold a qualification that entitles them to register but that further evidence of competence is required.

35. There is a tiered approach to the requirements dependant on how long it is since an individual was last registered as a social worker. There will be no RTP requirements for anyone who has been out of practice and off the register for less than two years. This falls in line with most other regulators as seen in the table in paragraph 39.

36. Feedback was taken into account through the consultation regarding the number of hours and the ways in which learning can be evidenced. Concerns were raised about the amount of hours required for learning as well as the ways in which learning can be evidenced.

37. The required hours for each tier are in line with other health and social care professions requirements and setting this amount provides a reasonable amount of learning and training for those returning to update their skills and knowledge and helps them to develop confidence in their return to social work.

38. Consideration was given to the number of hours required for each learning element and requirements have been slightly adjusted for formal learning. Challenges and barriers people may face with accessing relevant learning has informed the reduction in hours required. The table below shows the requirements we will set and what we initially proposed.

Requirements consulted on	
Tier	Requirements
Less than 2 years	No requirement
2 – 5 years: 180 hours	Supervised practice: Minimum requirement of 60 hours Informal Learning: Minimum requirement of 60 hours Formal learning: Minimum requirement of 60 hours
5 + years: 360 hours	Supervised practice: Minimum requirement of 120 hours Informal learning: Minimum requirement of 120 hours Formal learning:

	Minimum requirement of 120 hours
Revised requirements for approval	
Tier	**Requirements**
Less than 2 years	No requirement
2 – 5 years: 180 hours	Use a mixture of supervised practice, formal and informal learning Supervised practice: Minimum requirement of 60 hours Formal learning: Minimum requirement of 40 hours
5 + years: 360 hours	Use a mixture of supervised practice, formal and informal learning Supervised practice: Minimum requirement of 120 hours Formal learning: Minimum requirement of 80 hours

39. The table below highlights the requirements of UK and Irish regulators.

Regulator	Requirements	Evidence and hours
Social Care Wales	Less than 3 years: 90 hours CPL 3 - 6 years: 180 hours 6 + years: 360 hours	Use a mixture of supervised practice, formal and informal learning with no

		more than 50% informal.
Social Work England	2 - 5 years: 210 hours 5 + years: 420 hours Last 2 years: 2 different pieces of CPD	Use a mixture of supervised practice, formal and informal learning but informal can make up no more than half of the required period. Individuals can complete the return to practice course available.
CORU	2 - 5 years: 210 hours 5 + years: 420 hours	70 hours supervised practice 21 hours formal No more than 105 hours informal 140 hours supervised practice 42 hours formal No more than 210 hours informal
GTCS	No set requirements but there are courses available through Higher Educational Institutions.	
NMC	Return to practice course or Test of competence if you have not practiced for 450 hours in the three years before application, or 750 hours in the five years before application.	
NISCC	No requirements	

40. Full details of the requirements and how they must be evidenced are available in the RTP guidance in **Appendix 1**. The guidance provides clear details of what is meant by supervised practice, formal and informal learning to ensure full understanding. The SSSC will also provide templates that applicants can use to submit the evidence required.

41. In England, there are return to practice courses through Higher Education Institutes (HEIs) available for those that wish to re-register which include placement opportunities. Currently there are no such courses available within Scotland and the demand for these types of courses is unknown at

this stage. Current registration figures show on average 40-45 social workers who have been off the register for a period of two years return each year, the provision of such courses would be a consideration for the future.

RISKS

42. The new RTP requirements may act as a barrier to recruitment when encouraging people back to the sector, however, equally the requirements may be a mitigating factor as they will support social workers to feel more confident and competent in their skills and knowledge and provide reassurance to employers and the public that they are fit to practice. Communication which clarifies the requirements will be vital to ensure that returning social workers and employers understand how these requirements can offer support to individuals.

43. Social workers who re-register without being in employment may find difficulty finding appropriate placements to complete the practice element. Being registered with the SSSC as a social worker will allow prospective organisations reassurance if they are approached to provide placements.

44. 2023/24 SSSC Risk Appetite Statement: Developing and setting the standards for practice, setting the qualification requirements, and quality assuring the education and training are part of our regulatory function. There are principles and criteria, established rules and requirements set around assessment and standards that we must adhere to. When the guidance allows, we take a proportionate approach, however, we are bound by the legislative framework that exists therefore we have a cautious risk appetite.

IMPLICATIONS

Resourcing

45. Staffing resources will be required to assess and accept evidence from individuals returning to practice. The focus of this assessment would be on the informal learning. Checking the evidence of formal learning being presented would be required as well as ensuring the supervised practice is endorsed by an appropriate social worker. The average numbers anticipated are not significant. Current registration figures show on average 40-45 social workers who have been off the register for a period of two years return each year This will become part of business as usual.

Numbers will require to be monitored and, if required, additional staffing resource may be needed.

IMPACT ASSESSMENTS

Equalities

46. Full EQIA attached (See **Appendix 2**)

    Changes made to the requirements have had no impact on the mitigations or benefits to the protected characteristics identified within the EQIA. The new model of requirements strengthens the previous assessment. Added mitigations within the EQIA include the decision not to attach cost to the assessment of requirements, and the decision to allow people to register and then complete the required learning.

CONCLUSION

47. The FPP sponsor group are asked to approve the RTP requirements for social   workers.