Council meeting, 12 May 2011

Voluntary registration of students

Executive summary and recommendations

Introduction
At the Council meeting on 31 March 2011, the Council considered a paper on the voluntary registration of students. This is the subsequent paper agreed following the Council's discussion.

The paper proposes that the HPC should commence a process which would enable a decision to made about the voluntary registration of students.

Decision
The Council is invited to discuss the attached paper and to agree the decisions outlined in section six.

Background information
Outlined in paper

Resource implications
- Writing impact consultation and consultation document
- Arranging consultation mailing
- Analysing consultation responses

The above resource implications are accounted through a combination of departmental resources and temporary staff recruited to assist with consultation recording and analysis.

Financial implications
- Printing and mailing of consultation document
- Temporary staff to assist with consultation recording and analysis

The financial implications are accounted for by Department of Health funding to pay for the transitional costs associated with the regulation of social workers in England from April 2011.

Appendices
Outlined in paper

Date of paper
1 May 2011

Voluntary registration of students (Council 12 May 2011)

1. Introduction

1.1   At its meeting on 31 March 2011 the Council discussed the issue of the voluntary registration of students, including the voluntary registration of student social workers, in light of the Health and Social Care Bill 2011 ('the Bill') and the transfer of the registration of social workers in England to the Health and Care Professions Council (HCPC) from April 2012.

1.2   The Council agreed the following 'in principle':

• to consider the issue of voluntary registration of students as a discrete area separately from its discussions around establishing the other types of voluntary register outlined in the Bill;

• to consider the issue of voluntary registration of students across the Register ('in the round'), with the register of student social workers as one relevant factor to consider; and

• to expedite the process of considering the HPC's ongoing approach to the voluntary registration of students.

1.3   The paper considered indicated that, subject to the Council's agreement of the above, a further paper would address:

• the impact assessment and consultation process;

• the relevant factors and policy objectives that the Council might have regard to in undertaking this exercise; and

• the timetable for the work.

1.4   This paper proposes that the HPC should commence a process which would enable a decision to be made about the voluntary registration of students, with, amongst other considerations, reference to the voluntary registration of student social workers.

1.5   In summary, the process outlined in this document would entail the following.

- Undertaking a preliminary impact assessment evaluating the different policy alternatives for student registration and looking at the estimated costs and benefits of the alternatives and proposed option(s).

- The preliminary impact assessment would consider the breadth of factors related to student registration – including whether student registration should be introduced for none, some or all of the professions.

- Publicly consulting on the preliminary impact assessment to seek the views of stakeholders.

- Finalising the impact assessment in the light of the responses to the consultation. Making a final decision about the ongoing approach in this area having regard to that assessment.

1.6   There are three appendices to this paper.

- Appendix 1 provides information about the wider regulatory context, including the HPC's past position on student registration

- Appendix 2 provides information about the registration of social work students by the General Social Care Council (GSCC) (updated from that considered at the last meeting).

- Appendix 3 briefly outlines the interaction between the work of education providers and student registers with the vetting and barring schemes operated by the Independent Safeguarding Authority in England, Wales and Northern Ireland and the Central Barring Unit in Scotland. (This was a question at the Council meeting in March 2011.)

1.7   For completeness and continuing relevance, this paper includes some content included in the previous paper.

2. Health and Social Care Bill 2011

2.1   The Bill provides the following (Clause 212):

(1) A regulatory body may establish and maintain a voluntary register of persons who are (and where the body thinks appropriate, persons who have been) –
>   *a) unregulated health professions;*
>   *b) unregulated health care workers;*
>   *c) unregulated social care workers in England;*
>   *d) participating in studies that come within subsection (2) or (3)*

(2) Studies come within this subsection if they are studies for the purpose of becoming –
>   *a) a profession to which section 60(2) of the Health Act 1999 applies, or*
>   *b) the social work profession in England*

(3) Studies come within this subsection if they are studies for the purpose of becoming –
>   *a) an unregulated health professional*
>   *b) an unregulated health care worker*
>   *c) an unregulated social care worker in England*

2.2   In summary this means that the HPC can set up voluntary registers of students studying on programmes leading to becoming:

- a registrant, including social workers in England;

- an unregulated health professional or unregulated health worker; and

- an unregulated social care worker in England.

2.3   The Bill would only permit regulators to set up voluntary registers for those undertaking work that supports or relates to the work of the profession(s) they regulate, but this limitation would not apply to the HCPC.

2.4   This paper suggests an approach for the Council to make a decision about if, whether and how it might exercise these powers in relation to student registration (subject to parliamentary approval of the Bill).

3. Registration of student social workers in England

3.1   In addition, further context to this work is that the General Social Care
       Council currently maintains a voluntary register of student social
       workers. Please see appendix 2 for more information about the
       registration of student social workers.

3.2   The Bill currently before parliament does not provide for the registration
       of student social workers and the HPC has no powers to establish a
       voluntary register of students until the legislation is approved by
       Parliament and comes into force.

3.3   The Government will publish a transfer order prior to the opening of the
       Register to cover practical matters related to the transfer of regulatory
       functions. On Tuesday 29 March 2011 during the scrutiny of the Bill by
       the Public Bill Committee, Paul Burstow, Minister of State for Care
       Services said the following:

       'To ensure that there will be no gap in the assurance of the standards
       of social work students we intend to provide for the transfer of the
       voluntary register of social work students to the Health and Care
       Professions Council, pending full consideration of the best approach to
       assuring the safety and standards of all social workers. In other words,
       we have a voluntary arrangement in the GSCC and we intend to
       transfer that lock, stock and barrel to the HCPC in future. The HPC
       wrote to me following a meeting I had with it last week, and it
       committed to undertake a review of the risks in relation to students of
       all the professions that it regulates, including student social workers.
       That process will result in it setting out the risks and issues relating to
       social work students.'[1]

3.4   Therefore, the voluntary register of student social workers will transfer
       to the HCPC, pending the HPC's consideration of the issues.

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[1] Public Bill Committee, Health and Social Care Bill, Tuesday 29 March 2011 (Morning)
http://www.publications.parliament.uk/pa/cm201011/cmpublic/health/110329/am/110329s01.h
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4. Proposed approach

4.1   At its meeting on 31 Council 2011, the Council agreed a number of points 'in principle' at that stage – to look at the issue of voluntary registration of students separately from other types of voluntary register; to look at student registration across the whole register; and to expedite the process. This paper seeks formal agreement of the proposed approach indicated during discussion at the last meeting.

4.2   The approach outlined in this paper (summarised in paragraph 1.5) is the proposed process that will be followed to make a decision about student registration of all HPC registered professions, in light of the Bill, including, as part of the context, registration of student social workers.

Impact assessment

4.3   The Bill, once enacted, will give the regulators powers to establish voluntary registers, but these powers are subject to undertaking an impact assessment and a public consultation (Clause 25F of the Bill). In particular, the assessment must include an assessment of the likely impact of establishing the register on:

- prospective registrants;

- employers; and

- service users

4.4   Therefore the proposed approach will have four stages:

- Undertaking a preliminary impact assessment.

- Public consultation to seek the views of stakeholders to inform the final assessment.

- Finalisation of the impact assessment in light of the responses received to the consultation.

- A final decision having regard to the impact assessment.

What is an impact assessment?

4.5   Impact assessment is an approach and tool widely used in Government as an integral part of the policy development and implementation process. A formal impact assessment is published at key stages in the policy cycle, such as when the Government consults on a proposal or when a piece of legislation is introduced.

4.6   Impact assessment is described as:

- a **process** to help policy makers fully think through and understand the consequences of possible and actual policy decisions; and

- a **tool** to enable the Government to weigh and present evidence on the positive and negative effects of policies.[2]

4.7   Impact assessments typically include (but are not limited to) the following.

- Identification of the policy problem or issue and the key policy objectives involved.

- Identifying the range of reasonable alternatives to a particular policy problem.

- Analysing the costs, benefits and disadvantages of the different alternatives against the policy objectives. This may include qualitative discussion of costs and benefits and/or quantifying the costs involved – for example, the financial costs to individuals and to businesses.

- Considering the equality and diversity impact.

4.8   To illustrate, an impact assessment looking at policy options for student registration might include:

- Identifying the policy objectives in this area (see paragraphs 4.19 to 4.23)

- Identifying the range of possible alternatives which might include (but are not necessarily limited to):
    o No change to the HPC's current approach.
    o Registering all students on programmes leading to HPC registration.
    o Registering students in some professions but not in others.
    o Registering social work students only.

- Undertaking qualitative and quantitative analysis of the different alternatives. For example, looking at the costs of the different options for education providers, for students and for the regulator.

- Considering whether the alternatives would have a disproportionate impact on some groups rather than others.

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[2] Adapted from Department for Business, Innovation and Skills, Impact Assessment Guidance (December 2010)
http://www.bis.gov.uk/ia

4.9   The relevant guidance is clear, however, that impact assessment needs to be undertaken in a proportionate manner – that the depth of the information and analysis necessary is likely to be less for low risk or low impact policy decisions compared to decisions, for example, that might have a significant impact on a large number of people or a significant financial impact on businesses.

What does this mean for the HPC?

4.10   It is proposed that the Executive will undertake a preliminary impact assessment looking at the issue of student registration. The impact assessment will then be published in the form of a document for consultation which will outline the Council's preliminary assessment in the key areas, identifying a series of structured questions on which to seek the views of stakeholders.

4.11   As this exercise will look at student registration 'in the round', the consultation would need to seek the views of all relevant stakeholders including stakeholders in the social work field and those related to the 15 currently regulated professions.

4.12   The Bill says that in performing an impact assessment, the regulators must 'have regard to such guidance relating to the preparation of impact assessments as it considers appropriate'.

4.13   It is proposed that in undertaking an impact assessment the Executive will have regard to the relevant guidance published by the Department for Business Innovation and Skills and any other guidance that may be relevant – for example, the European Commission's impact assessment guidelines.[3]

4.14   In 'having regard' to these guidelines it is proposed that the Executive should act reasonably and pragmatically in ensuring the assessment conducted is proportionate and relevant – taking into account of the role of the HPC as a professional regulator.

4.15   For example, some impact assessments include assessing the impact of a decision on small, medium and large businesses. This may be less relevant in the HPC's context but an HPC impact assessment might consider, for example, the impact on (prospective) registrants in terms of registration fees and the impact on employers of any 'restriction' to entry to a profession.

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[3] Department for Business Innovation and Skills, Impact Assessment Guidance (December 2010) And Impact Assessment Toolkit (April 2010)
http://www.bis.gov.uk/ia
European Commission, Impact Assessment Guidelines (January 2009)
http://ec.europa.eu/governance/impact/index_en.htm

4.16 The responses to the consultation would then be analysed and the impact assessment finalised before a final decision is reached by the Council. The possible range of conclusions that might be reached could include (but are not necessarily limited to).

- No change to the HPC's current policy. (For example, on the basis that the current processes in place are sufficiently robust, proportionate to the risk involved and outweigh the possible benefits of other alternatives.)

- Register all students – proceed to consider how that registration should be conducted. (For example, on the basis that the alternative of registration would better deliver the policy objectives and outweighs the possible benefits of the other alternatives).

- Register students in some professions but not in others – proceed to consider how that registration should be conducted. (For example, on the basis that there is clear case for registration in some professions compared to others and that the risks involved cannot be adequately mitigated by the current approach).

- Retain the register of student social workers only on a transitional basis after April 2012 – but proceed to consider whether that register should be maintained permanently. (For example, on the basis that registration would be proportionate to the risks involved and that other alternatives would not adequately deliver the policy objectives for this specific group.)

Impact assessment and voluntary registers

4.17 The Council is separately beginning to consider its policy and approach in light of the provisions in the Bill which would allow the HCPC to set up voluntary registers of unregulated health care professions, health care workers and social care workers in England.

4.18 Whilst the Council's discussion of its approach in this area is in its early stages, it is anticipated that a policy and process for how the Council would consider exercising these powers would be developed over the course of 2011 which would include outlining more formally our approach to impact assessment. This exercise will therefore help identify the format for such future assessments, for example, helping to identify which parts of the published guidance are less applicable to the HCPC and those aspects which are particularly relevant to our work.

Policy objectives

4.19   An important part of an impact assessment is qualitative and quantitative analysis of the relevant options against the objectives of a given policy. For example, the policy objectives included in the impact assessment accompanying the Bill with respect to provisions to abolish or merge arm's length bodies (ALBs) were:

- to streamline the ALB infrastructure by reducing the numbers of ALBs, and by reducing duplication of functions and processes;

- to reduce central bureaucracy and ensure practical demonstration of the principles of good regulation;

- to reduce intervention to release more time for frontline staff to improve the delivery of services; and

- to drive up efficiency in order to reduce the costs of the sector and ensure value for money.[4]

4.20   In the case of student registration, the impact assessment will look at how far the different options (such as those outlined in paragraph 4.16) meet the policy objectives; the impact assessment provides the methodology through which the relative merits of different options can be analysed.

4.21   The Executive invites the Council to discuss and agree in principle the following overarching policy objectives which will inform the impact assessment looking at voluntary registration of students.

4.22   The first three proposed objectives seek to articulate the purpose of regulatory activity in the area of 'student fitness to practise' – to mitigate against potential risk of harm from students; to ensure that only someone who is fit to practise can register; and to ensure that prospective registrants are aware of the standards they have to meet. The fourth objective is overarching, referring to the importance that regulatory activity should be transparent; accountable; proportionate; consistent; and targeted. The final objective refers to ensuring that voluntary registers are self-financing and that there is no cross-subsidisation between the functions undertaken by the HPC on a statutory basis and those on a voluntary basis.

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[4] Department of Health, Health and Social Care Bill 2011: Impact Assessments http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsLegislation/DH_123583

4.23 The proposed overarching policy objectives are as follows.

1. To ensure that the public are adequately protected from the potential risk of harm posed by students.

2. To ensure that concerns about students are adequately dealt with so that only someone who is fit to practise completes a programme with an award that leads to eligibility for (full) registration.

3. To ensure that students are aware of the duties, responsibilities and standards expected of them as future registrants.

4. To implement proportionate and effective regulatory measures that meet the five principles of good regulation.[5]

5. To ensure that any additional regulatory intervention undertaken on a voluntary basis is achievable on a self-financing basis, avoiding cross-subsidisation between registers.

4.24 If agreed, these objectives may be further refined during the impact assessment process and are likely to be the subject of a specific consultation question.

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[5] Department of Business, Skills and Innovation, Principles of Better Regulation
http://www.berr.gov.uk/bre/

5. Timetable

5.1 The table below outlines the proposed timetable for this work.

Activity	Timescale
Impact assessment undertaken and consultation document written	May to August 2011
Discussion / approval for consultation by Education and Training Committee and Council[6]	September 2011
Public consultation	September 2011 to January 2012
Consultation recording and analysis	September 2011 to January 2012
Discussion / approval of consultation responses by Education and Training Committee and Council	March 2012
Council decision about student registration including identification of any next steps	March 2012

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[6] The overall decision in this area is for the Council. However, as the areas of registration and education are within its remit, the Education and Training Committee will be invited to discuss and agree the impact assessment and consultation; and, following consultation, the consultation analysis and revised impact assessment. The Committee will be informed about the Council's agreed approach on this matter at its meeting in June 2011.

6.   Decision

6.1   The Council is invited:

- To agree the approach to making a decision about the voluntary registration of students as outlined in this paper. In particular:

  o   to undertake a preliminary impact assessment looking at the voluntary registration of students;

  o   to have regard to the impact assessment guidance published by the Department for Business Innovation and Skills and any other guidance that may be relevant in undertaking the assessment;

  o   to consult on that preliminary impact assessment;

  o   to finalise the impact assessment in light of the responses to the consultation; and

  o   to make a final decision about the ongoing approach in this area, having regard to that impact assessment.

- To discuss and, subject to any changes agreed at the meeting, agree in principle the overarching policy objectives that will inform the impact assessment.

- To agree the timetable outlined in section five.

Appendix 1: Student registration, the wider regulatory context and the HPC

1. The regulatory context

1.1   Amongst the 9 professional regulators overseen by the Council for Healthcare Regulatory Excellence (CHRE), currently only the General Optical Council (GOC) registers students.

1.2   In summary, the arguments often made in support of student registration include the following.

- The potential risk of a student removed from a programme owing to concerns about their conduct moving to another education provider.

- The potential link (supported by some evidence in the medical profession) between conduct in pre-registration education and training and subsequent fitness to practise action.

- The need for students to be engaged with the standards and responsibilities expected of them, and to understand the purpose of regulation, at an early stage.

- The need for consistent decision making with respect to student fitness to practise cases between education and training providers.

1.3   In 2007 the Council for Healthcare Regulatory Excellence (CHRE) published the outcomes of a project looking at student registration. With respect to student registration the CHRE concluded: 'There is insufficient evidence to suggest that registration of students is necessary to protect patients and the public.'

1.4   The final report concluded that the aim of ensuring students develop a working knowledge of professional behaviour, ethics and values was not necessarily achieved through registration with a regulatory body. The report also referred to arguments for registration based on the ability of a student removed from one programme to commence another programme elsewhere, but concluded this concern is based on anecdote and that '…without evidence it is difficult to understand the size of the potential problem. On a risk based approach it is unlikely that such behaviour would identify that registration is the only way forward.'

1.5   Instead, the report made the following recommendations.

- Professionalism and regulation should be integral to the curriculum.

- The expectations of students should be made clear from the outset, recognising the different risks that might be involved in different practise environments.

- There should be arrangements ('student fitness to practise committees' or similar) for dealing with profession-related concerns about students.

- There should be a code of conduct for students.[7]

2. HPC and student registration

2.1   The Education and Training Committee agreed its position on student registration in January 2008 and this was sent to the Department of Health. The Committee concluded that:

- the case for registration had not been persuasively made;

- any risks posed to service users by students can be minimised through effective supervision and monitoring systems;

- the time and resources involved in registering students would be disproportionate and accrue few benefits;

- education providers were best placed to make their own decisions about admission to programmes; and that

- the existing models of student registration risked duplication of effort by regulators substantially repeating decisions already made by education providers on admission to their programmes (and in relation to cases of alleged misconduct).[8]

2.2   The HPC's position to date has been, in relation to the 15 regulated professions, that although it does not register students, it does effectively regulate them. The HPC's approach to date is outlined overleaf.

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[7] Council for Healthcare Regulatory Excellence, Advice on student registration, (2007) http://www.chre.org.uk/policyandresearch/221/
[8] Health Professions Council response to the Department of Health on student fitness to practise (January 2008)
http://www.hpc-uk.org/aboutus/consultations/external/index.asp?id=58

Standards of conduct, performance and ethics (SCPE)

2.3   The CHRE recommended that there should be an agreed code of
       conduct for students. The SCPE describes public and professional
       expectations of behaviour and apply both to registrants and
       'prospective registrants' (see article 21 (1) (9) of the Health Professions
       Order 2001). Applicants for registration have to sign a declaration to
       confirm that they have read and will abide by the standards if
       registered.

2.4   The HPC also publishes guidance on conduct and ethics for students
       which elaborates on the SCPE to explain what they mean in the
       context of a student or trainee undertaking an approved programme.

2.5   The standards of education and training ('SETs') ensure students
       become aware of the standards during their pre-registration education
       as an integral part of the curriculum. (SET 4.5.)

Standards of education and training (SETs)

2.6   The SETs are used in approving education and training programmes.
       The standards collectively ensure the fitness to practise of students -
       some particularly relevant standards are outlined below.

Admissions

2.7   The standards require the education provider to have suitable
       arrangements in place for admission to the programme including the
       following: criminal convictions checks; health requirements where
       appropriate; and appropriate academic and/or professional entry
       standards. (SETs 2.3, 2.4, 2.5.)

2.8   The HPC also publishes guidance on health and character which
       includes guidance for education providers making decisions about
       applicants to approved programmes who declare convictions, cautions
       and other relevant information.

Practice placements

2.9   The HPC does not quality assure or approve placements or practice
       settings individually, but requires the education provider, as the body
       that confers the award which would lead to eligibility to register, to take
       responsibility for the whole package of education and training, including
       that delivered in practice.

2.10   The standards collectively ensure that practice placements including
       the environment, level of supervision (appropriate to the profession)
       and teaching and learning approaches are supportive of, enhance and
       ensure student fitness to practise. This means that where concerns
       about a student's conduct are raised (including whilst on placement)

they are effectively managed by the education provider. (SETs 5.1 to 5.13.)

Student fitness to practise

2.11 The standards of education and training include a standard requiring education providers to have a process in place for dealing with concerns about students related to professional conduct (SET 3.16). Such arrangements are often via 'student fitness to practise committees' or similar. The standard ensures that only students who have successfully completed a programme and who have therefore met both the standards of proficiency and the pervasive ethical components of the programme are eligible to apply for registration.

2.12 The standard ensures consistency between education providers in dealing appropriately with fitness to practise concerns. We would expect that where a student's conduct raises concern about their fitness to practise as a future registered professional that the education provider should act appropriately, including considering removing that individual from a specific placement, removing them from the programme, or allowing them to exit with an award that does not confer entry to the register.

Appendix 2: Registration of student social workers

1.1   There are currently 17,958 student social workers registered with the
       GSCC, in addition to 87,381 social workers.[9]

1.2   The GSCC require student social workers to be registered prior to
       commencing practice placements. We understand that on application
       for registration the student would have the offer of a place on a
       programme (or have already commenced the programme), having met
       any requirements in place by the education provider. A cursory
       examination of education provider requirements shows that such
       admissions policies include academic / experiential requirements as
       well as enhanced criminal records checks and health checks.

1.3   The register of student social workers is currently voluntary. However,
       as the GSCC is involved in distributing funding for practice placements
       to education providers based on numbers of registered students
       studying at each institution, there is an incentive for the education
       provider to ensure that students are appropriately registered. The
       GSCC has reported that student registration levels are around 95%.

1.4   The cost of registration is £10 per year and students are required to
       renew their registration every year. The application requirements are
       similar to those for HPC registration.

1.5   The GSCC considers conduct cases about students. Education
       providers are advised to inform the GSCC about a case relating to a
       registered student if they have their place on a course withdrawn; if a
       student withdraws during a disciplinary investigation; if a student is
       suspended from a programme pending the outcome of a disciplinary
       investigation; when the education provider becomes aware of a
       criminal charge or conviction; and of any other circumstances which
       might have a bearing on suitability to be a registered social worker.[10]

1.6   The GSCC report that since 2005, they have refused registration to 9
       student social workers who did not meet the GSCC's standards of
       good character and registered another 7 with conditions. To date 12
       students have been through the conduct process in the last year.[11]

1.7   The GSCC report that 'student referrals for conduct assessment' are
       higher for students (applicants and registrants) than for social workers
       (applicants and registrants) – 1.6% compared to 0.6%. The Executive
       recently met the GSCC to discuss student registration. As different

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[9] GSCC website, 4 March 2011
http://www.gscc.org.uk/page/32/Registration+processing+times.html
[10] http://www.gscc.org.uk/The+Social+Care+Register/Apply+for+registration/Students/
[11] Information provided by the GSCC including: GSCC submission in relation to the second
reading of the Health and Social Care Bill 2011
http://www.gscc.org.uk/news/30/Health_Bill_a_chance_to_embed_high_standards_in_social_
work_regulation.html

organisations record and handle information in different ways, the Executive has asked the GSCC for more information about its student conduct assessments and cases which will inform the impact assessment.

1.8   The following provides a sample of the cases considered by the GSCC about student social workers.

- A student was removed from the Register after it was found that she had formed an inappropriate relationship with a father of two children for whom she was the allocated social worker. She had allowed the relationship to influence her professional judgement.

- A student was admonished for two years following a police caution for battery which she had failed to disclose to her employers.

- A student was admonished for five years following criminal convictions for benefit fraud. The decision does not mention what action, if any, was taken by the education provider.

- A student was admonished for two years following a conviction for assaulting a constable. The decision records that the evidence in mitigation included a testimonial submitted by the Associated Head of School of the education provider.

- A student was removed from the Register after being convicted of fraud by false representation for which she received a prison sentence of 8 months.

1.9   On its website the GSCC focuses on the vulnerability of service users in explaining why student registration is necessary and also argues that it is about recognition and parity with other professions. Under the title 'Students – be valued from the start' they explain:

'Students spend an average 200 days working with service users, so it is important that they meet the same criteria as qualified social workers.

Many other professions including teaching, nursing, the law and medical professions are regulated through registration. Registering the social care workforce, including students, will put you on a similar footing.'[12]

1.10 It should be noted that trainee teachers and trainee solicitors are required to register with their respective regulators but that no student register currently exists for nursing and medical students.[13]

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[12] http://www.gscc.org.uk/page/86/Student.html
[13] For more information, please see:
http://www.gtce.org.uk/http://www.sra.org.uk

1.11   In summary, the following arguments for (retaining) registration of student social workers have been made.

- Student social workers have access to vulnerable service users, in their own homes, often without direction supervision. This level of access to vulnerable service users makes a case for registration of student social workers over and above other professional groups. Social work involves 'the identification of a significant risk and sometimes the use of authority' in ways that (some) other professions do not.

- The conduct cases considered by the GSCC have involved serious breaches of professional boundaries and serious criminal offences often involving violence. Such offences might be more concerning in social work where students are likely to be put in challenging situations where they might be subject to provocation.

- HEIs may not be best placed to monitor students' conduct on placements as systems to do so are not 'universally effective and consistent'. Concerns from employers and external examiners that programmes are reluctant to exclude unsuitable candidates because of the financial penalties involved.

- Registration brings to students' attention their responsibility for high standards, enhancing public protection.

- Registration means the code of practice is binding. The code is often used to initiate debates about ethical issues or used by education providers as the basis of a contract with a student. This is important for the professionalisation of social work.

- Training students who may never be able to register (for example, if they have convictions which make them unsuitable for registration) is a waste of public money.

- Ending student registration would 'give the wrong messages to those aspiring to become social workers and to the public whose trust and confidence in social work requires development'.[14]

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[14] For example see:
GSCC Chief aims for strong legacy after reform plan dash, Community Care, 1 September 2010
http://www.communitycare.co.uk/Articles/2010/09/01/115203/gscc-chief-aims-for-strong-legacy-after-reform-plan-dashed.htm
GSCC submission in relation to the second reading of the Health and Social Care Bill 2011

Appendix 3 – Vetting and barring schemes

1.1   At the last meeting, more information was requested on how the vetting and barring arrangements being introduced by the Independent Safeguarding Authority (ISA) for England, Wales and Northern Ireland and the Central Barring Unit (CBU) for Scotland related to students and education providers. The following is based on our current understanding of the implications of the schemes.

1.2   The UK and Scottish Governments have set up vetting and barring schemes to improve protection for children and vulnerable adults and prevent unsuitable individuals from working with either group.

1.3   There is a scheme for England, Wales and Northern Ireland and one for Scotland. The scope and processes of the two schemes are slightly different. However, there is broad consistency in the approach to students which is outlined below.

1.4   The purpose of the schemes is to prevent individuals who pose a risk of harm from working with children and vulnerable adults. The schemes look at evidence gathered from a number of sources (including information from the police, employers and others) to decide whether an individual poses a sufficient risk of harm. If the individual does pose a risk of harm, they are barred from working with children and/or vulnerable adults.

1.5   The areas of work covered by both schemes include providing treatment or healthcare. In addition, 'work' covers not just paid employment but also volunteering or undertaking practice placements.

1.6   This means that students on practice placements would be included within the scope of the schemes. Education providers would need to check with the relevant scheme that a particular student was not barred from working with children or vulnerable adults. They would do this before the student undertook the first placement.

1.7   The relevant scheme would therefore help the education provider to decide whether an individual was suitable to undertake practice placements. However, the scheme is not designed to replace decisions made by the education provider about admission to a particular education programme. Education providers would still need to decide whether a particular individual should be admitted onto a programme and then decide whether the individual had successfully completed the programme.