



Ag Rialáil Gairmithe Sláinte
agus Cúraim Shóisialaigh

Regulating Health +
Social Care Professionals

Public Consultation Report

Social Workers Registration Board – Return to Practice Bye-Law

September 2013



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About the Social Workers Registration Board

The Social Workers Registration Board has statutory responsibility for the registration of members of the profession; approval and monitoring of education and training programmes; establishing the code of professional conduct and ethics and standards of performance to which social workers must adhere and recognition of qualifications gained outside the State.

It was the first of twelve Boards to be established under the Health and Social Care Act 2005 as amended.

The Public Consultation Process

Background

The draft bye-law sets out the requirements that will apply to a person seeking to join or be restored to the Register after a break of two or more years.

If a person is returning to the practice of their profession after a certain period of time, there is a requirement on them, in accordance with their Professional Code of Conduct and Ethics to ensure that their knowledge, skills and performance are of a high quality, are up to date and are relevant to their practice.

The Social Workers Registration Board also specifies minimum requirements for updating of knowledge and skills for a person to join or be restored to the Register.

Publicising the Consultation Process

A public consultation on the draft bye-law was held between 18 April 2013 and 16 May 2013. A number of channels were used to publicise the consultation process and invite the submission of observations. These included:

- An advertisement was placed in the Irish Independent on Thursday 18 April (see appendix one).
- A press release was placed on www.coru.ie (See appendix two for a copy of the press release).
- An online survey was developed and the link, along with an explanation of the consultation, was emailed to all registered social workers. The email was also sent to a targeted list of over 700 stakeholders, including the Professional Bodies, Trade Unions, educators and other interested parties who have previously corresponded with CORU.
- Information on the consultation along with a link to the online feedback form was hosted on the CORU website.

People were invited to participate in the consultation process in a number of ways:

- They could ring CORU to request a copy of the draft bye-law and to offer feedback



- They could visit CORU's office to view the draft bye-law and give their feedback in person.
- They could visit www.coru.ie and choose to complete an online feedback form, to print a copy of the form and post it, or email it to CORU.
- They could email submissions to consultation@coru.ie

Overview of Responses to Consultation

11 responses were received to the public consultation:

| | |
|----------------------|---|
| Email | 2 |
| Telephone | 0 |
| Online feedback form | 9 |
| Post | 0 |

Online Feedback Form

Respondents were asked to identify if they were offering feedback on their own behalf or on behalf of an organisation.

| | |
|---------------------------|---|
| Individual | 6 |
| Professional Organisation | 4 |
| Unknown | 1 |

Submissions were received on behalf of the following professional organisations:

- Irish Association of Social Workers
- Irish Association of Speech and Language Therapists
- Irish Society of Chartered Physiotherapists
- Nursing Board



Issues raised and SWRB responses

This section sets out a thematic summary of the responses made during the consultation.

The content of the submissions received relate to the following areas:

1. Recognition of Other Work
2. Role of Supervisor/Supervision
3. Period of updating
4. Private Study
5. Approval of Post Qualification Programmes
6. Returning to Practice in Ireland

1. Recognition of Other Work

The recognition or accreditation of work outside the profession of social work was raised by a number of respondents who say that social work skills are transferable and can be developed in contexts other than social work. The SWRB was asked to consider recognising work which represents a beneficial learning process for social workers, such as looking after children and voluntary work.

Response: The Board's view is that only work and experience that can be clearly categorised as social work can be taken into account. Where an applicant has not been engaged directly in social work for more than two years, they will be required to fulfill the return to practice requirements.

2. Role of Supervisor/Supervision

The need to have a clear definition of supervision and the importance of supervisors being registered social workers was raised.

Respondents also raised a number of questions in relation to the role of the supervisor and the supervision process. These questions related to the criteria for the selection of supervisors, the sign-off responsibility of the supervisor, remuneration of a supervisor, how a social worker could have access to a supervisor if they have been out of practice for 2-5 years, professional indemnity cover, Garda vetting, data protection and confidentiality.

In relation to the period of supervision, the Board was asked to consider the length of time away from clinical practice as a determining factor. One respondent felt the supervision requirement was quite high while another felt that there should be a specific recommendation on the hours required for supervised practice.

Questions were also raised in relation to assessing learning needs and accrediting learning plans. A view was expressed that the bye-law is too prescriptive in requiring a learning plan to have regard to an applicant's experience in the profession, the



applicant's intended area of practice on resumption of practice and the length of time the applicant has not practiced the profession.

Response: Supervisors should be registrants who have been in practice for a minimum of three years and have not been subject to any disciplinary sanction under the Act. The Board had initially taken the view in the drafting of the bye-law that, in the establishment period of the register, it may have been necessary to consider the use of a non-registered supervisor on occasion. However, the importance of a supervisor being registered was revisited by the Board and the approved bye-law now includes the requirement for the supervisor to be registered.

Other conditions on supervisors may be specified by the Board in the future. A supervisor will be expected to confirm that an applicant has completed the period of supervised practice by signing a supervised practice form. Guidance on supervision will be provided through return to practice guidance notes. The bye-law does not deal with remuneration of supervisors. The Board will monitor the practical difficulties of access to supervision.

The Board reconsidered the requirement for an element of supervised practice. For applicants who have been out of practice for more than five years at least 50% or 210 hours of updating must be supervised practice. Each applicant is expected to assess their own learning needs but where possible in consultation with their employer/work supervisor. The applicant will be required to make themselves aware of areas where they need to up skill. The learning plan will not be accredited but there will be a requirement on the applicant to demonstrate to provide materials or evidence that they have completed their period of updating to the satisfaction of the Board.

In regards to Garda vetting, confidentiality and data protection applicants will be expected to meet the requirements of the organisation in which supervised practice takes place.

The areas outlined in the learning plan are provided for guidance purposes and are considered by the Board to be sufficiently broad to encompass all returners to practice.

3. Period of updating

Respondents shared a range of views in relation to the number of hours to be spent by a returner to practice updating their knowledge and skills.

Some respondents felt that the time stipulated in the draft bye-law is excessive and would not necessarily determine the person's capacity to return to practice. The Board was asked to consider linking the requirements to the competencies required to carry out a specific job.

Another view expressed was that the 2-5 year timeframe is too short for practitioners' knowledge, skills and performance to become outdated. Lapsed registrants should



be allowed restore their name to the register within a five year period without requirement for a period of updating

It was suggested that those returning to practice could be assessed on the basis of knowledge, skills and related competencies.

It was also suggested that Return to Practice candidates should adhere to relevant Continuing Professional Development (CPD) requirements.

In relation to supervised practice, it was asked if it is a competency based output.

Response: The Board considers that two years is the maximum amount of time that a professional should be out of practice before engaging in upskilling activity. The bye-law stipulates a minimum amount of updating required for someone returning to practice after a period of two or more years.

The Return to practice requirements are based upon providing evidence that upskilling and updating has taken place. All registrants, regardless of the amount of time out of practice are required to adhere to the Code of Professional Conduct and Ethics and ensure that they have the knowledge, skills and experience to practise safely and effectively in the area of social work in which they will be engaged. As CPD requirements are not in place currently, it would not be appropriate or possible to relate to return to practice. However, the Board may give consideration to such a requirement at a later point.

4. Private Study

In relation to private study, a suggestion was made for the practice of developing a reflective professional log that requires applicants to document and demonstrate the learning process engaged with and the learning outcomes achieved through participation.

It was also suggested that satisfactory completion of private study would be difficult to prove and to evaluate the benefit. Temporary registration could be provided under which a supervisor signs off on the applicant's competence and that any updating can be done on an ~~an~~ service-basis.

Response: Private study can make up no more than 105 hours of total updating period. Applicants will be required to provide details and a summary of what they have studied to the Board. The Board may seek further verification of any information provided. There is no provision for provisional or temporary registration in the Health and Social Care Professionals Act, 2005, (as amended)



5. Approval of post-qualification programmes

Clarification was sought on the accreditation of post-qualification courses.

Response: The Board acknowledges that professional bodies and other education providers such as universities may be in a position to provide relevant training and up-skilling courses in relation to social work. However, the Board does not envisage accrediting such courses.

6. Returning to Practice in Ireland

Clarification was sought on the section of the bye-law relating to persons who have been engaged in practice outside of Ireland, as it did not state whether it related to applicants who qualified in Ireland and/or those who qualified abroad.

Response: The bye-law specifies the criteria for returning to practice in Ireland. Any applicant who has been working as a social worker outside of the State for more than two years, regardless of where qualification was obtained, will need to establish that they have practised in a manner similar to the way the profession is practised in Ireland. They may do this through a declaration and by providing employment details. This will be evaluated by the Board and appropriate updating requirements made.

Conclusion

Two areas of the bye-law were changed as a result of consultation.

For applicants who have been out of practice for more than five years at least 50% or 210 hours of updating must be supervised practice.

Private study can comprise no more than 105 hours of updating period for both those who have been out of practice 2-5 years and those who have been out of practice more than five years.

Section 11 has been removed. All supervisors and attesting signatories must be registered with the Social Workers Registration Board

Acknowledgements

CORU would like to extend our appreciation and thanks to all those that participated in the consultation process.



Appendix 1: Draft Bye-Law

DRAFT
S.I. No. of 2013

SOCIAL WORKERS REGISTRATION BOARD RETURN TO PRACTICE BYE-LAW

The Social Workers Registration Board, in exercise of the powers conferred on it by section 31 of the Health and Social Care Professionals Act 2005 (as amended), with the approval of the Health and Social Care Professionals Council, hereby makes the following bye-law:

1. (1) This bye-law may be cited as the Social Workers Registration Board Return to Practice Bye-law 2013.

(2) This bye-law comes into operation on [date].

2. In this bye-law .

~~%~~Act+means the Health and Social Care Professionals Act 2005 (No. 27 of 2005), as amended from time to time;

~~%~~applicant+means a person who wishes to resume practice of the profession of social worker after not having practised the profession for two years or more;

~~%~~attesting signatory+means a registered social worker who has been in practice for a minimum period of three years; has not been subject to any disciplinary sanction under the Act and who satisfies such other conditions as the Board may determine from time to time;

~~%~~Board+means the Social Workers Registration Board;

~~%~~contact hours+means hours spent by the applicant actively engaged in activities relevant to the profession for the purposes of the period of updating;

~~%~~learning plan+shall have the meaning specified in paragraph (5);

~~%~~period of updating+means the requisite period of time specified in paragraph (4) during which an applicant engages in activities to refresh, update and improve his or her skills, knowledge and performance as are relevant for practice;

~~%~~practice+means the practice of the profession of social worker;

~~%~~profession+means the profession of social worker;

~~%~~register+means the register of the Social Workers Registration Board established and maintained under section 36 of the Act;



~~%~~supervisor+means a registered social worker who has been in practice for a minimum period of three years; has not been subject to any disciplinary sanction under the Act and who satisfies such other conditions as the Board may determine from time to time; and

~~%~~transitional period+has the meaning specified in the Act.

3. For the purposes of sections 31, 37 and 38 of the Act, the Board has determined that where a person wishes to resume practice after not having practised the profession for two years or more, the criteria and conditions set out in this bye-law must be satisfied and that person must provide satisfactory evidence of his or her compliance with this bye-law in his or her application for registration as a social worker.
4.
 - (1) An applicant who has not practised the profession for any period of between 2 and 5 years must complete a period of updating consisting of not less than 210 contact hours.
 - (2) An applicant who has not practised the profession for any period greater than 5 years must complete a period of updating consisting of not less than 420 contact hours.
 - (3) An applicant must have completed his or her period of updating within the two year period prior to the date of submission of his or her application, unless the Board permits otherwise.
 - (4) The period of updating shall consist of contact hours spent by the applicant engaging in any one or more of the following:
 - (a) supervised practice;
 - (b) formal study; and/or
 - (c) private study up to a maximum of 105 contact hours.
 - (5) The applicant shall keep an accurate record in reasonable detail of his or her period of updating and if requested to do so, shall provide such record to the Board.
5.
 - (1) For the purposes of the period of updating, supervised practice shall, subject to paragraph 8, consist of the applicant practising the profession:
 - (a) under the guidance of a supervisor;
 - (b) in a structured manner in accordance with a learning plan which has been agreed between the applicant and his or her supervisor; and
 - (c) in accordance with such guidelines as the Board may publish from time to time.



(2) The learning plan shall:

- (a) be structured in a manner which is consistent with the standards of proficiency for social workers published by the Board from time to time; and
- (b) provide for the applicant to develop, demonstrate and apply his or her knowledge and skills as a social worker,

having regard to:

- (c) the applicant's experience in the profession;
- (d) the applicant's intended area of practice upon resumption of practice;
- (e) the length of time the applicant has not practised the profession;
- (f) any relevant developments in the profession during the period the applicant has not practised the profession; and
- (g) any relevant knowledge and/ or skills acquired or developed by the applicant during the period the applicant has not practised the profession.

(3) The supervisor(s) shall take reasonable efforts to monitor and supervise the applicant's practice of the profession during the supervised practice and to provide input, assistance and guidance to the applicant as the supervisor deems fit, having regard to each of the factors specified in paragraph 5(2)(c) to (g).

6. (1) For the purposes of the period of updating, formal study shall, subject to paragraph 8, consist of the applicant undertaking and participating in educational courses, training or programmes of education and/ or training (including structured educational courses or training delivered electronically and/ or through distance learning) relevant to the practice of the profession.

(2) Formal study may include group learning whether undertaken by means of a lecture, workshop, seminar, tutorial, video-conferenced lecture or tutorial or in such other manner as may be acceptable to the Board from time to time.

7. (1) For the purposes of the period of updating, private study may, subject to paragraph 8, consist of the applicant engaging in one or more of the following:



- (a) reading professional journals or publications relevant to his or her area of practice;
 - (b) engaging in research relevant to the profession generally and/or his or her area of practice;
 - (c) engaging in online study or e-learning consisting of education and/ or training that is generated, communicated, processed, sent, received, recorded, stored and/or displayed by electronic means or in electronic form including that provided through the internet or other computer network connections, sound and/ or visual formats provided through an electronic file, and/or provided through digital or other electronic means;
 - (d) publishing written materials in relation to the profession and/or his or her area of practice; and
 - (e) such other activities as may be acceptable to the Board from time to time.
8. The Board reserves the right to publish guidance materials from time to time for the purposes of providing additional guidance and/or specifying any restrictions or other limitations which apply for the purposes of this bye-law in relation to the period of updating; content hours and/ or the nature of any supervised practice, formal study or private study undertaken by an applicant.
9. (1) An applicant must complete, in writing or by electronic means, such Return to Practice form as is provided from time to time by or on behalf of the Board and submit same to the Board with his or her application for registration.
- (2) Where the applicant's period of updating includes a period of supervised practice, the applicant must ensure that his or her supervisor(s) signs the relevant section(s) of the Return to Practice form.
- (3) An applicant must ensure that an attesting signatory verifies that the applicant has completed the period of updating; takes reasonable steps to satisfy himself or herself that the applicant has completed the requisite period of updating and signs the Return to Practice form to indicate same.
- (4) An attesting signatory shall take reasonable steps to satisfy himself or herself that the applicant has completed the requisite period of updating.
- (5) The applicant must provide such additional information or supporting materials to evidence his or her completion of the period of updating to the satisfaction of the Board as the Board may request.
10. The Board shall evaluate and verify the education and training undertaken by the applicant during the period of updating and such other information as it deems appropriate, for the purposes of satisfying itself that the applicant has met the requirements of this bye-law.



11. The Board reserves the right to waive the requirements that a supervisor and/or an attesting signatory must be registered in the register in circumstances where it can be shown that the supervisor and/or the attesting signatory, as applicable, was:

(a) eligible for registration during the transitional period; applied for registration during that period and was not refused registration; or

(b) eligible for registration during the transitional period and had sufficient skill, knowledge and/ or experience as a social worker (in the opinion of the Board) to act as a supervisor and/or attesting signatory, as applicable for the purposes of this bye-law.]

12. Without prejudice to any bye-laws which the Board may from time to time make pursuant to section 31(1)(e) of the Act, the Board reserves the right to require any person who:

(a) applies for registration as a social worker in the Register; and

(b) has been engaged in the practice of the profession of social worker outside of Ireland for two years or more

to furnish detailed particulars of his or her practice, experience and evidence of registration with any regulatory body outside of Ireland for the purposes of satisfying itself that the nature of the person's practice and experience outside of Ireland is equivalent or sufficiently similar to the practice of the designated profession of social worker in Ireland. In the event that the Board is not so satisfied, the Board:

(c) may require such person to:

(i) comply with the requirements of this bye-law; or

(ii) undertake such activities, education and/or training as the Board may specify in order to refresh, update and/or improve his or her skills, knowledge and performance as are relevant for practice as a social worker in Ireland.

GIVEN under the seal
of the Social Workers Registration Board

[INSERT DATE] 2013



Chairperson, Social Workers Registration Board


and

Member, Social Workers Registration Board



Appendix 2: Copy of Advertisement

18th April 2013

 **Ag Rialáil Gairmithe Sláinte agus Cúraim Shóisialaigh**
Regulating Health + Social Care Professionals

Public Consultation

The Social Workers Registration Board wants to hear the views of the public, the profession and other interested parties on:

Social Workers Registration Board Return to Practice Bye-law 2013

Further information on the consultation can be found on www.coru.ie

The closing date for receipt of comments and submissions is 5.00pm on Thursday 16 May 2013.

Submissions received after this time and date will not be considered.



Appendix 3: Press Release

Social Workers Registration Board Launches Public Consultation on Return to Practice Bye-Law

Thursday 18 April 2013: The Social Workers Registration Board has today launched a public consultation process on a Bye-Law detailing the steps to be taken by social workers seeking to return to practice.

All Social Worker registrants must ensure that their knowledge, skills and performance are of a high quality, are up to date and are relevant to their practice.

If a person is returning to the practice of social work after a certain period of time, this Bye-Law will specify minimum requirements for updating of knowledge prior to registration or restoration to the Register.

Launching the public consultation, Ginny Hanrahan, Registrar, explained that: "The Social Workers Registration Board must have processes in place to be satisfied that only those social workers who are fit and proper are registered."

"This is an important policy which sets out the steps to be taken by social workers wanting to return to practice after a period out of practice. It is critical that the profession participates in this consultation so they can help shape their regulation. The purpose of this regulation is to protect patients and therefore we also want to hear from the public," added Ms Hanrahan.

The Bye-Law can be viewed on www.coru.ie or can be requested by emailing consultation@coru.ie or contacting the Board on 01 2933160.

Feedback can be provided by filling in feedback forms on www.coru.ie by emailing consultation@coru.ie, or in writing to Public Consultation, CORU, 13 - 15 The Mall, Beacon Court, Bracken Rd., Sandyford, Dublin 18.

The consultation process will close at 5pm on Thursday 16 May 2013. Any submissions received after this time will not be considered.

ENDS



Appendix 4: Copy of Online Feedback Form

Public Consultation on Draft Social Workers Registration Board Return to Practice Bye-Law

CORU is seeking feedback on the Social Workers Registration Board Return to Practice Bye-law 2013.

The requirements of the draft bye-law will apply to a person seeking to join or be restored to the Register after a break of two or more years.

The draft bye-law has been published on www.coru.ie. It can also be requested by emailing consultation@coru.ie or contacting CORU on 01 2933160.

This survey will take approximately 10 minutes to complete and your feedback will help inform the development of the return to practice criteria.

The consultation process will close at 5pm on Thursday 16 May 2013. Any submissions received after this time will not be considered.

A report on the consultation process will be published following consideration of the submissions received.

Personal Information (you do not need to provide your personal information if you would prefer not to)

First name: _____

Surname: _____

Email: _____

Telephone number (fixed): _____

Telephone number (mob): _____



Would you like to be added to our database so we can contact you regarding future developments?

YES or NO

Are you contributing to this survey in (please tick one)

a personal capacity? _____
On behalf of an organisation? _____
If on behalf of an organisation, please specify: _____

How did you hear about this consultation? (please tick as many as apply)

On www.coru.ie _____
On another website _____
By email _____
Other (please specify) _____



1. Is the language used and the layout of the draft bye-law easy to follow and understand?

Yes

No

Use the space below for your comments.

2. An applicant who has not practised the profession for any period between 2 and 5 years must complete a period of updating consisting of not less than 210 contact hours. Do you agree with this?

Yes

No

Use the space below for your comments.

3. An applicant who has not practised the profession for any period greater than 5 years must complete a period of updating consisting of not less than 420 contact hours. Do you agree with this?

Yes

No

Use the space below for your comments.

4. Do you agree with the criteria for supervised practice contained in Section 5 of the draft bye-law?

Yes

No

Use the space below for your comments.



5. Do you agree with the criteria for formal study contained in Section 6 of the draft bye-law?

Yes

No

Use the space below for your comments.

6. Do you agree with the criteria for private study contained in Section 7 of the draft bye-law?

Yes

No

Use the space below for your comments.

7. Do you agree with provisions for an applicant who has been engaged in the practice of social work outside Ireland for 2 years and more contained in Section 12 of the draft bye-law?

Yes

No

Use the space below for your comments.

8. Do you have any comments on any other section of the draft bye-law?

Yes

No

Use the space below for your comments.



Please specify the section/s

9. Did you find this consultation form useful?

Yes

No

Please provide any comments on the consultation feedback form:

Thank you for participating in this consultation process. Your views will be taken into consideration.

If you have any queries please contact CORU on 01 2933160 or email consultation@coru.ie

