

Restoration Application Form Guidance

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Things to know before you apply for restoration

When to apply

An application to be restored to the Register cannot be made until either:

- three years has passed from the date of the decision to remove your registration, or
- two years has passed from the date of any previous application for restoration, or
- the only reason for your removal was your health, in which case you can apply for restoration at any time.

Which part of the Register to apply for

You must apply to be restored to the part of the Register you were removed from. You cannot apply for any other part of the Register until you are restored to the part you were originally removed from.

If your application for restoration is granted you can then apply for registration on any other part of the Register.

Working while your application is being considered

You cannot work in a post which requires registration before your application for restoration has been considered. There is no six month grace period prior to the application for restoration being decided.

It is an offence for an employer to employ a worker in a post which requires registration when they are not registered.

Fitness to Practise

The SSSC must be satisfied that there has been a material change in your circumstances and you are fit to practise before an application for restoration will be granted. Your fitness to practise might be impaired because of your conduct, professional practice, health, a decision about you made by another regulator or a conviction.

If you are working in social services (in a role which does not need registration) we will ask your employer to confirm that you have had an enhanced criminal records check and to provide the date and unique Disclosure Scotland reference number or PVG membership number from the Disclosure Certificate/PVG scheme record.

The Public Register

If your application for restoration is granted, the following information will appear on our online register:

- your full name and title
- your registration number and the part, or parts, of the Register on which you are registered
- the postal town of your work address, if applicable
- your registration status, which will show as registered.

SSSC Codes of Practice for Social Service Workers

You should make sure you have read and understood the SSSC's Codes of Practice. These codes set the standards of behaviour and practice expected of you both in and out of work.

Completing the application

The following information will help you to complete your application form.

If you do not complete all the questions your application and supporting documents will be returned to you.

SECTION 1 – PART OF THE REGISTER

You **must** apply for restoration to the part of the Register you were removed from. You cannot apply for any other part of the Register until you have been restored to the part you were originally removed from.

SECTION 2 – YOUR DETAILS

You must complete all questions in the personal details section.

SECTION 3 – CURRENT EMPLOYMENT

You must complete sections 3.1 to 3.6.

If you have more than one social service employer, please also complete sections 3.7 to 3.12. You can continue on another sheet if you have more than two social service employers.

SECTION 4 – EMPLOYMENT HISTORY

Please provide details of your employment history for the last five years, ensuring there are no gaps. Make sure the dates are as accurate as possible and to the nearest month and year.

Please include any periods of unemployment.

SECTION 5 – QUALIFICATIONS

To register with the SSSC a worker must satisfy the criteria for registration. We should have details of any qualifications you gained during your previous period of registration. Please include any relevant qualifications for the part of the Register you are applying for which you have gained since you were removed from the Register.

Details of the qualifications for each part of the Register can be found on our website at www.sssc.uk.com/registration/help-with-register-parts-fees-and-qualifications/

If you are applying for restoration and did not get the required qualifications during your previous period of registration you may be granted restoration subject to the condition that you achieve the required qualifications within the specified period – normally your initial period of registration.

If you gained any of the following qualifications **in Scotland**, you do not need to provide evidence of your award:

- Degree in Social Work
- Diploma in Social Work (DipSW)
- Certificate of Qualification in Social Work (CQSW)
- Certificate in Social Service (CSS)
- Certificate in Social Work (CSW).

The SSSC will be able to check any of the above social work qualifications against our records.

If you hold an appropriate qualification, you must supply a verified photocopy of the certificate of award. Details of verification can be found at section 11 of this guidance.

Please do not send us original certificates of award.

SECTION 6 – REGULATORY BODIES OR LICENSING ORGANISATIONS

Please give the details if you have been registered since your removal from our Register with one of the other UK regulatory bodies listed on the application form.

Give details of any current or previous registration with regulatory bodies or licensing authorities outside the UK.

You must complete section 6.1.

If you answer no, please proceed to section 7.

If you answer yes or currently, please complete sections 6.2 to 6.6.

SECTION 7 – DISCIPLINARY RECORD

You must answer all questions in this section. If you answer yes to any of the questions, please give details in the space provided.

Disclose all matters, if you are unsure please call us on 0345 60 30 891 for advice. We will ask your endorser to verify this information and also to tell us about any other less serious disciplinary matters that they think may affect your fitness to practise.

SECTION 8 - HEALTH

You must complete all questions. If you answer yes to any of the questions, please give details in the space provided.

General information

Many people living with a health condition can practise safely and effectively with or without adjustments. We understand that you will not be working in a role which requires registration at the time of making the application, however if you are working in social services we expect you to manage health conditions by:

- being open and honest with your employer about your condition and any limitations you have
- complying with any recommended steps to manage the condition.

When health might be an impairment

Your fitness to practise may be impaired if you have a health condition (which includes an addiction to drugs or alcohol) which has an adverse effect on your ability to do your job safely and effectively. For example, where your reasoned decision making, thinking and/or behaviour are affected or where there is a physical symptom that means you cannot carry out your role safely and effectively.

Your health must have caused or substantially contributed to the impairment of fitness to practise.

Workers who are signed off

You may be signed off as 'unfit for work' due to ill health but this does not necessarily mean that your fitness to practise is impaired. Cases of ill-health are likely to be better managed with the support of an employer to safely reduce any risk to people who use services and does not require regulatory investigation where the worker:

- has demonstrated good insight into the extent and effect of their condition
- is taking appropriate steps to access treatment and following advice from their treating health professionals
- is receiving support from occupational health through the employer
- is managing his or her practice appropriately, for example by taking sick leave.

SECTION 9 – CRIMINAL OFFENCES AND ALTERNATIVES TO PROSECUTION

As part of considering if you are fit to practice we will consider any criminal convictions and offences. Please list any convictions and offences since the date you were removed from the Register.

You must complete all questions. If you answer yes to any of the questions, please give details in the space provided.

Before answering these questions, it is important that you read the guidance available on Disclosure Scotland's website at www.disclosurescotland.co.uk/news.UKSCBackground.htm

Please see list below to get a better idea of the different type of convictions and offences.

Fixed penalty in relation to a road traffic matter – Fixed penalties are offered as an alternative to prosecution for some less serious road traffic offences. If the offer is accepted and payment made, no prosecution is brought. Penalty points can also be endorsed on the accused's driving licence. The accused can decide not to accept the fixed penalty and the Procurator Fiscal may then prosecute the case.

Procurator fiscal warning – The Procurator Fiscal may consider that it is in the public interest to take action but may choose to give the offender a written warning instead of prosecution.

Mediation and/or reparation – In less serious cases, the accused can choose to accept 'reparation and mediation' instead of prosecution.

Fiscal fine (conditional offer) – The Procurator Fiscal may consider that it is in the public interest to take action but that prosecution may not be the most appropriate course of action and may give an offender a fine. This fine will be registered against the accused (and there will be no court proceedings) unless the person refuses the offer, in which case, the Procurator Fiscal may prosecute.

Diversion – The offender is offered the option of referral to a scheme, involving social work, or psychiatric or psychologist support, treatment or other action which is more beneficial than prosecution. The accused can decide not to accept the referral and the Procurator Fiscal may then prosecute the case.

Caution – A 'simple caution' is used to deal quickly and simply with those who commit less serious crimes. It diverts offenders away from court. The person is officially warned about the unacceptability of their behaviour, and the likely consequences of committing further crimes will be explained. If the person offends again, they are likely to be charged.

Bound over – The courts can make orders binding a person to act in a certain way for example, to be of good behaviour. There are consequences if the terms are breached.

Reprimand/final warning – There is a system of reprimands and final warnings for 10 to 17 year old offenders. A reprimand is normally given for a first offence and a final warning for a second offence. Following a final warning the police have a duty to refer the person to the youth offending team which has a duty to carry out an assessment and to provide a programme aimed at preventing re-offending.

Compensation offer - A 'compensation offer' is for offences where an individual has suffered loss. Compensation may be issued in respect of monetary loss, personal loss or distress. The level of compensation is registered against the accused as a fine (and there would be no court proceedings) unless he or she gives notice that he or she refuses the offer, and the Procurator Fiscal may then prosecute.

Conditional caution - A 'conditional caution' differs from a simple caution in that the person must comply with certain conditions to receive the caution and to avoid prosecution for the offence they have committed.

Community payback order - A 'community payback order' is used when a person is convicted of an offence punishable by imprisonment. The court can choose an alternative such as payment of compensation, mental health, drug or alcohol treatment, unpaid work etc.

SECTION 10 – RESTORATION INFORMATION

To fully consider your application to be restored to the Register we must know why you think there has been a material change in your circumstances which means you should now be restored. Please tell us why you believe there has been a material change in your circumstances. The questions listed at 10.1 will help and should be answered where appropriate. You should also give any other information you think is relevant.

You should send any documents which you think are relevant to your application for restoration and would like us to consider. This can include references and training certificates. Where you were removed due to your health you should also provide a medical report to confirm the state of your health and whether this has changed and is now being managed safely and effectively.

SECTION 11 – PERSONAL DECLARATION

Please make sure you have read and understood the personal declaration then sign and date sections 11.1 and 11.2.

Fees and payments

Application fee

This is the fee you pay to apply for restoration.

If your application is refused for any reason or you withdraw your application, the fees you have paid will not be returned.

Annual fee

If you are restored and remain on the Register you will pay an annual fee on the anniversary of your restoration date.

Renewal fee

Your registration period will last for a fixed period from your date of registration. All of these fees are tax deductible.

Methods of payment

Direct Debit

Direct Debit is the most convenient way to pay and is covered by the Direct Debit Guarantee. If you wish to pay by Direct Debit, please:

- read the Direct Debit Guarantee detailed on the instruction at the back of the application
- complete the instruction and return it to us with your completed application
- let us know in writing if you cancel a Direct Debit at any time.

Other payment methods

If you would prefer not to pay by Direct Debit, please send a cheque or postal order made payable to the Scottish Social Services Council with your application.

Please note we cannot accept cash.

Please ensure you have completed the checklist on page 29 of your application form.

Post registration training and learning (PRTL) Requirements

When you renew your registration, you will be asked to confirm that you have met the PRTL requirements. The SSSC will randomly sample the PRTL records of achievement of a number of registrants. If you are part of the random sample we will let you know at the time you are invited to submit your application for renewal.

Failure to meet the PRTL requirements may be considered misconduct by the SSSC.

What happens next

When we receive your completed application and accompanying documents we:

- will process your application as quickly as possible
- may contact you to get further information
- will pass your case to the Fitness to Practise Department who will contact you about your application.

When the Fitness to Practise Department have considered your application and made any investigations they feel are necessary they can:

- grant your application for restoration
- grant your application for restoration and impose conditions on your registration (you will be asked whether you consent to these conditions)
- refer your case to a Fitness to Practise Panel who can grant your application, grant your application and impose conditions or refuse your application.

Contact us

Scottish Social Services Council
Compass House
11 Riverside
Drive
Dundee
DD1 4NY

Phone **0345 60 30 891**
Email **registration@sssc.uk.com**
Website **www.sssc.uk.com**

If you are calling from outside the UK please call 00 44 1382 207101.

If you would like this document in another format, please contact the SSSC on 0345 60 30 891.