



# **SCOTTISH SOCIAL SERVICES COUNCIL**

## **RULES FOR SOCIAL WORK TRAINING 2003**



## **Foreword**

In April 2002, Cathy Jamieson, the then Minister for Education and Young People, announced an Action Plan for the Social Services Workforce that included a new qualification for social workers in Scotland, located at a minimum of a four year honours degree level. Following this announcement, the Scottish Social Services Council (SSSC) contributed to the development of Standards in Social Work Education (SiSWE) and Scottish Requirements for Social Work Training; work that was led by the Scottish Executive. The SiSWE and the Requirements now together form the document "Framework for Social Work Education in Scotland" which was published earlier this year.

Since the publication of the Framework, the SSSC has been working together with a wide range of stakeholders to develop Rules for Social Work Training. These Rules set out the criteria for the approval of courses for persons who wish to become social workers and set out the arrangements for the monitoring, review and investigation of courses.

The Rules form an important part of the SSSC's responsibilities under the Regulation of Care (Scotland) Act 2001 to promote high standards of conduct and practice among social service workers and high standards in their education and training. I am pleased that these Rules have now been approved by the Council and given Ministerial consent.

I am very grateful indeed to everyone who has contributed to the development of these Rules. Those involved have ensured the Rules reflect the SSSC's policy of working collaboratively. They have produced concise and streamlined arrangements so that the SSSC can have confidence in the quality of the courses they approve and in the newly qualified graduates entering the social work profession.

A handwritten signature in black ink that reads "Morag Alexander". The signature is written in a cursive style with a large initial 'M'.

**Morag Alexander**  
**Convener**

**December 2003**



# **THE SCOTTISH SOCIAL SERVICES COUNCIL**

## **RULES FOR SOCIAL WORK TRAINING 2003**

### **CONTENTS**

#### **PREAMBLE**

The Scottish Social Services Council	7
The Quality Assurance Agency for Higher Education	7
The Framework for Social Work Education in Scotland	7
Quality assurance and enhancement	8
Assuring Quality in the Diploma in Social Work -1: Rules and Requirements for the DipSW – CCETSW (2 <sup>nd</sup> Edition, 1996)	8

#### **Part I - Introduction**

1. Title and commencement	9
2. Authority	9
3. Interpretation	10
4. Publication of the Rules	14

#### **Part II - Approval of Courses**

5. Approval of courses	15
6. Criteria for the approval of courses	15
7. Process for the approval of courses	17
8. Compliance during period of course provision	17

#### **Part III - Monitoring, Review and Investigation of Courses**

9. Monitoring of approved courses	19
10. Process for monitoring approved courses by the Council	19

11.	Reviewing and renewing approval of courses	20
12.	Process for reviewing and renewing approval of courses	20
13.	Council-led reviews of course provision	21
14.	Failure of approved courses to comply with the Rules	22
15.	Investigation of approved courses	22
16.	Withdrawal of approval	23

#### **Part IV - External examination**

17.	External examination of approved courses	25
18.	Criteria for the appointment of external examiners	25
19.	Process for external examination	25

#### **Part V - Provision of information to the Council**

20.	Provision of information to the Council	27
-----	---	----

#### **Part VI – Appeals against decisions of the Council**

21.	Appeals against decisions of the Council	29
22.	Criteria for appeals	29
23.	Appeals process	29

#### **Part VII – Public record**

24.	Public record	33
-----	---------------	----

#### **Part VIII – Review and amendment of the Rules**

25.	Review and amendment of the Rules	35
-----	-----------------------------------	----

## **PREAMBLE**

### **The Scottish Social Services Council**

The Scottish Social Services Council is a statutory body established by the Regulation of Care (Scotland) Act 2001. The main purpose of the Council is to regulate the social service workforce and their education and training. The aim of the Council is to provide protection to those who use services, promote high standards of conduct and practice among social service workers, strengthen and support the professionalism of the workforce and promote confidence in the sector.

The Council has a remit covering Scotland, but also works closely with the General Social Care Council, Northern Ireland Social Care Council and the Care Council for Wales, each of which has similar responsibilities and functions.

### **The Quality Assurance Agency for Higher Education**

The Quality Assurance Agency for Higher Education (the QAA) was established as a UK-wide body in 1997. The mission of the QAA is to safeguard the public interest in sound standards of higher education qualifications and to encourage continuous improvement in the management of the quality of higher education. To achieve its mission, QAA works in partnership with the providers and funders of higher education, the staff and students in higher education, employers and other stakeholders. The work of the QAA includes undertaking reviews of institutional management of quality and standards, publishing codes of practice and benchmark information on standards, and advising governments on the granting of degree awarding powers and university title. The work of the QAA in Scotland is undertaken by its Scottish Office under the authority of QAA Scotland, the Scottish committee of the QAA UK Board.

### **The Framework for Social Work Education in Scotland**

The Framework for Social Work Education in Scotland is the document of that name published by the Scottish Executive in January 2003 which contains the 'Scottish Requirements for Social Work Training' and the 'Standards in Social Work Education (SiSWE)' and was prepared as part of the new arrangements for enhancing the quality and standards of social work education in Scotland linked to the introduction of the new honours degree in social work or equivalent postgraduate awards. The Framework is designed to be used by those involved in designing, approving, accrediting or validating social work courses; those who teach social work courses; those who assess and examine students; those who provide opportunities for practice learning within social work courses; students studying for the social work qualification; those who are responsible for the quality of social work courses; social services employers; those who are responsible for continuing professional development; members of

other professions who work closely with social services and the general public, particularly people who use social services and their carers.

### **Quality assurance and enhancement**

The Council will publish its arrangements for the approval, monitoring, review, investigation and withdrawal of approval of courses in a document which will also set out the principles that will underpin all quality assurance and enhancement activity undertaken by the Council.

### **Assuring Quality in the Diploma in Social Work –1: Rules and Requirements for the DipSW – CCETSW (2<sup>nd</sup> Edition, 1996)**

The Scottish Social Services Council Rules for Social Work Training 2003 do not apply to courses approved in terms of the document entitled 'Assuring Quality in the Diploma in Social Work -1: Rules and Requirements for the DipSW' – CCETSW (2<sup>nd</sup> Edition, 1996).



## **Part I - Introduction**

### **1. Title and commencement**

- 1.1 These Rules may be cited as The Scottish Social Services Council Rules for Social Work Training 2003 and shall come into operation on the date they are signed on behalf of the Council and are hereinafter referred to as "the Rules."

### **2. Authority**

- 2.1 Part 3 of the Regulation of Care (Scotland) Act 2001 established the Scottish Social Services Council on 1 October 2001.
- 2.2 The Act requires the Council to promote high standards of conduct and practice among social service workers and high standards in their education and training.
- 2.3 This is to be achieved through:
- (a) the registration of social service workers;
  - (b) the development of standards of conduct and practice and issuing Codes of Practice for social service workers and their employers;
  - (c) the investigation of complaints of misconduct and, where necessary, suspending registration, removing individuals from the register, or altering their registration;
  - (d) the promotion of education and training for persons wishing to become social workers and social service workers; and
  - (e) the approval of courses in social work education.
- 2.4 The Act gives wide powers to the Council to promote education and training and to approve courses with the intention of ensuring the consistency and quality of the education and to secure or provide appropriate training when this is not, in the opinion of the Council, already being made available.
- 2.5 The Scottish Social Services Council, in exercise of the powers conferred on it by section 57 of the Regulation of Care (Scotland) Act 2001, hereby makes the following Rules.
- 2.6 The Rules contribute to the Council's role in regulating the social service workforce. They set out the arrangements for approving courses in social work for persons seeking to become social workers.
- 2.7 The above Preamble does not form part of the Rules.

### **3. Interpretation**

#### **3.1 In the Rules, unless the context otherwise requires -**

the 'Act' means the Regulation of Care (Scotland) Act 2001;

'approved course' means a course of training in relevant social work at honours degree level or postgraduate level for persons wishing to become social workers, approved by the Council under section 54(1) of the Act;

'the Benchmark Statement' means the Quality Assurance Agency's Benchmark Statement: Academic Standards-Social Work published in 2000 as amended from time to time;

'Complaints Procedure: Approved Education and Training Provision' means the procedure published from time to time by the Council which deals with any complaints made to the Council concerning an approved course;

'the Code of Practice for Employers of Social Service Workers' means the code of practice laying down standards of conduct and practice expected of employers or persons seeking to employ social service workers published by the Council in 2002 under section 53(1)(b) of the Regulation of Care (Scotland) Act 2001;

'the Code of Practice for Social Service Workers' means the code of practice laying down the standards of conduct and practice expected of social service workers published by the Council in 2002 under section 53(1)(a) of the Regulation of Care (Scotland) Act 2001;

'the Council' means the Scottish Social Services Council;

'the Council's Conduct Rules' means The Scottish Social Services Council (Conduct) Rules 2003, made by the Council, as amended from time to time, or other Rules made by the Council regulating the conduct of students;

'the Council's Registration Rules' means The Scottish Social Services Council (Registration) Rules 2003, made by the Council, as amended from time to time, or other Rules made by the Council regulating the registration of students;

'Course' means a course of training in relevant social work at honours degree level or postgraduate level for persons wishing to become social workers in respect of which approval is sought;

'Course Provider' means a Higher Education Institution who provides or proposes to provide a course that is designed to meet the Criteria for Approval set out in Rule 6, or on whose behalf a course is provided in terms of a franchising agreement;

'course provision' means the delivery of an approved course by a Course Provider, or on behalf of a Course Provider;

'the Criteria' means the Criteria for the approval of courses set out in Rule 6;

'external examiner' means a person who is independent and impartial and who is contracted by a Higher Education Institution to provide informed comment on the standards set for approved courses and student achievement in relation to those standards;

'Form of Agreement' means the formal undertaking by the Course Provider that it will comply with the Rules;

'the Framework for Social Work Education in Scotland' means the document of that name published by the Scottish Executive in 2003, as amended from time to time, which contains the Scottish Requirements for Social Work Training; an Introduction to the Standards in Social Work Education; and the Standards in Social Work Education;

'franchising' is the process by which a Higher Education Institution agrees to authorise the provision of the whole or part of one or more of its own courses, by a partner organisation. In doing so the HEI retains overall responsibility for the course's content, delivery assessment and quality assurance arrangements;

'Higher Education Institution ('HEI')' means an institution with degree awarding powers;

'internal subject review' means an HEI's own review of provision at subject level, which is undertaken in accordance with SHEFC Guidance to institutions on the characteristics of internal (subject) review published in 2003, as amended from time to time;

'Investigation' means investigation of social work training provision that is approved by the Council, in accordance with the arrangements detailed in Rules 14 and 15;

'National Occupational Standards' means the National Occupational Standards for Social Work, which were published in 2002, as amended from time to time;

'officer of the Council' means the Council's Head of Learning and Development or any other officer appointed for the purpose by the Council's Chief Executive;

'Practice Learning Opportunity' means a learning experience that is structured so as to enable a student to meet practice learning objectives;

'the Quality Assurance Agency for Higher Education' ('the QAA') means the Quality Assurance Agency for Higher Education which is a UK-wide body, whose mission is to safeguard the public interest in sound standards of higher education qualifications and to encourage continuous improvement in the management of the quality of higher education;

'the Quality Assurance Agency's Code of Practice' means the Code of Practice for the assurance of academic standards in higher education published between 1999 and 2001, as amended from time to time;

'the Quality Assurance Agency's institutional review' means an enhancement-led institutional review ('ELIR') arrangements for which are set out in the QAA's Handbook for enhancement-led review: Scotland (2003), as amended from time to time;

'the Register' means the Register maintained by the Scottish Social Services Council under section 44 of the Act, and registration shall be construed accordingly. The Register is divided into Parts covering different descriptions of social service workers;

'the Review Report' is the report produced by the Council following its participation in an HEI's own subject review or following a Council-led review of approved course provision;

'the Rules' means 'The Scottish Social Services Council Rules for Social Working Training 2003';

'the Scottish Credit and Qualification Framework' ('the SCQF') means the framework developed in 2001, as amended from time to time, to enable employers, learners and the public in general to understand the full range of Scottish qualifications, how they relate to each other, and how different types of qualifications can contribute to improving the skills of the workforce. It clarifies entry and exit points and routes for progression within and across education and training sectors and maximises opportunities for credit transfer;

'the Scottish Requirements for Social Work Training' means the requirements that are published by the Scottish Executive and which form part of the Framework for Social Work Education in Scotland document, which was published in 2003, as amended from time to time. The Requirements are aimed at providers of social work programmes and specify what they must do/comply with in order to provide programmes of training. They are organised in two sections: the entry requirements; and the teaching, learning and assessment requirements;

'SHEFC' means the Scottish Higher Education Funding Council;

'SHEFC Guidance to institutions on the characteristics of internal (subject) review' means the document published by the Scottish Higher Education Funding Council in 2003, as amended from time to time, to provide guidance to institutions on the process of internal review and which forms Appendix 5 to the Quality Assurance Agency's Handbook for enhancement-led institution review: Scotland;

'social service provider agencies' means organisations in the statutory, voluntary and private sector that are providers of social services. These may include agencies whose primary function is in relation to health, education and housing;

'social work training' means training undertaken by students that meets the Scottish Requirements for Social Work Training and the Rules and prepares individuals for registration as social workers;

'stakeholders' means any individual or individuals who may have an interest in the business of the Council or the course provision. Such individuals may include people who use services, carers and students, representatives of provider agencies and Higher Education Institutions, the Scottish Executive and the Quality Assurance Agency;

'the Standards in Social Work Education ('SiSWE')' means the standards published by the Scottish Executive that set out the knowledge, understanding and skills that social workers need and act as a basis for their continuing professional development. The SiSWE incorporate key elements of two previous standards documents: the *Quality Assurance Agency's Benchmark Statement: Academic Standards-Social Work* (2000) and the *National Occupational Standards for Social Work* (2002). They form part of the Framework for Social Work Education in Scotland document, which was published in 2003;

'termination of training' means the process whereby a student may have their training terminated as a result of behaviour that is confirmed to be damaging or dangerous to either service users, other students or Course Providers, or creates unacceptable risk for themselves or others.

- 3.2 In the Rules, unless the contrary intention appears, words in the singular include the plural and words in the plural include the singular.
- 3.3 In the Rules, unless the contrary intention appears, references to:
- (a) numbered sub-paragraphs and paragraphs to the rule in which they appear; and
  - (b) numbered rules

are references to the rules of the Rules.

#### **4. Publication of the Rules**

- 4.1 The Rules shall be published on the Council's website on the Internet and in such other manner that the Council sees fit.

## **Part II - Approval of Courses**

### **5. Approval of courses**

- 5.1 The Council will approve courses for persons who wish to become social workers, in accordance with section 54(1) of the Act and the provisions of the Rules.

### **6. Criteria for the approval of courses**

- 6.1 In order to gain approval of a course, a Course Provider must satisfy the Council that the following Criteria are met and will continue to be met during the period of proposed course provision:
- (a) the Course Provider has satisfied the Quality Assurance Agency that its institutional procedures, processes and standards in respect of its educational provision are managed in a manner consistent with the Quality Assurance Agency's Code of Practice
  - (b) the Course Provider will comply with the Scottish Requirements for Social Work Training in respect of the proposed course provision
  - (c) the proposed course provision has been designed, and will be monitored and reviewed in accordance with the SiSWE and must enable students completing an approved course to meet the SiSWE
  - (d) there has been an HEI validation/approval process in respect of the course, which includes confirmation that the proposed course provision
    - (i) is designed and will be monitored and reviewed in accordance with the SiSWE;
    - (ii) will enable students completing an approved course to meet the SiSWE: and
    - (iii) will meet the terms of the Rules
  - (e) a programme specification has been drawn up in accordance with QAA policy on programme specifications (1999)
  - (f) a range of stakeholders (including people who use services, carers, students, provider agencies and Higher Education Institutions) have been/will be actively involved at the appropriate stage in the design, delivery and evaluation of the proposed course provision
  - (g) the Course Provider has made adequate arrangements with social service provider agencies and others, for the purposes of ensuring that the proposed course provision meets the obligations set out in Rules 6.1 (b) and (c)
  - (h) the proposed course provision fully takes account of the requirements of the Council's Code of Practice for Social Service

## Workers and the Council's Code of Practice for Employers of Social Service Workers

- (i) the Course Provider will ensure that in respect of the course provision, all students are registered in accordance with the Council's Registration Rules and that they remain so registered throughout the time they participate in an approved course and that the Course Provider will also inform the Council immediately in writing of any misconduct by a student that might call into question the student's registration with the Council, inform the student of that fact, co-operate with Council proceedings undertaken in terms of the Council's Registration and Conduct Rules and respond appropriately to the findings and decisions of the Council made in terms of the Registration and Conduct Rules
- (j) the practice learning opportunities to be accessed by the Course Provider satisfy the needs of students, are acceptable to the Council and meet the Scottish Requirements
- (k) in all aspects of delivery, the Course Provider will demonstrate an ethos that reflects a commitment to equal opportunities and will meet legal obligations, including those in relation to equal opportunities and human rights
- (l) the Course Provider has in place and operates arrangements to admit students with credit, as required to do in accordance with the Scottish Credit and Qualification Framework
- (m) the Course Provider has procedures for complaints, termination of training and disclosure of information about alleged wrongdoings and any qualifying disclosure in terms of the Public Interest Disclosure Act 1998 that are clearly publicised and the Course Provider will share with the Council information relating to complaints and termination of training investigations and disclosures in terms of the Public Interest Disclosure Act 1998, subject to the requirements of the Data Protection Act 1998
- (n) the arrangements for External Examination will be as set out in Rules 17, 18 and 19
- (o) the Course Provider has in place arrangements to monitor and review the effectiveness of the arrangements for the proposed course provision
- (p) the Course Provider has arrangements in place to inform students about the Council's Complaints Procedure for dealing with any complaints in respect of proposed course provision.



## **7. Process for the approval of courses**

- 7.1 The Course Provider will provide the Council with the details of a named correspondent who will take responsibility for communication between the Course Provider and the Council.
- 7.2 The Course Provider will apply to the Council for approval using a standard form provided by the Council for that purpose.
- 7.3 The Council will make available guidance to the Course Provider which will assist it in preparing its application for approval. This guidance will be developed by the Council in collaboration with stakeholders.
- 7.4 In making application to the Council for the approval of a course, the Course Provider will confirm in writing that it will abide by the Rules using a 'Form of Agreement', prescribed by the Council.
- 7.5 The Course Provider will provide such information as may reasonably be requested by the Council at the time of application about projected student numbers, resources for learning and assessment and for the management of the provision.
- 7.6 The Council will approve a course only when it is satisfied that the Criteria set out in Rule 6 have been met and will confirm approval in writing to the Course Provider. Where the Council decides not to approve a course it will inform the Course Provider in writing.
- 7.7 Where the Council has granted approval of a course, the following will apply:
  - (a) approval will remain effective for five years from the date of grant of such approval by the Council, unless earlier withdrawn in accordance with the provisions of the Rules, after which the approval will lapse, unless renewed in accordance with Rules 11, 12 and 13
  - (b) the Course Provider must not make any material change to the course provision without obtaining the Council's consent in writing.
- 7.8 The Council will publish a list of approved courses in a range of formats.

## **8. Compliance during period of course provision**

- 8.1 The Course Provider will ensure that the Rules are complied with during the period of course provision. Where there has been franchising in respect of the course provision, the Course Provider will remain responsible for ensuring that the Rules are complied with during the period of course provision.

- 8.2 The Criteria will apply to the course provision as they apply to the proposed course provision and must be complied with at all times during the period of course provision.
- 8.3 The Course Provider will bring to the attention of the Council any matter that may affect the status of the course as an approved course.

## **Part III - Monitoring, Review and Investigation of Courses**

### **9. Monitoring of approved courses**

- 9.1 Annual monitoring of approved courses will be undertaken by Course Providers in line with the Quality Assurance Agency's Code of Practice. In addition, the Course Provider's own monitoring process will draw on and respond to feedback from students; people who use social services; their carers; the staff involved in the delivery of the approved course; those who participate in the assessment process; practice learning providers; employers and other interested stakeholders.
- 9.2 The Council will take reasonable steps to satisfy itself that approved courses continue to meet the Rules. Without prejudice to the foregoing, the Council will undertake an annual monitoring of approved courses, drawing on the activity being undertaken by the Course Provider, to satisfy itself regarding the effectiveness of the course provision in achieving its stated aims and to monitor the success of students in attaining the intended outcomes.

### **10. Process for monitoring approved courses by the Council**

- 10.1 On an annual basis, by a specified date to be advised by the Council, the Course Provider will provide the Council with monitoring documentation, subject to the requirements of the Data Protection Act 1998. This will include such information as the Council may require which will include:
- (a) data relating to intake, progression and completion of students on the particular approved course
  - (b) information relating to complaints, appeals and termination of training hearings, where these have taken place
  - (c) copies of external examiner annual reports and reports of any action taken as a result of the annual reports
  - (d) copies of any reports relating to internal quality assurance activity at subject level for the previous 12 months (with any sections confidential to the Course Provider removed).
- 10.2 From time to time, in order to satisfy itself that the Rules continue to be met, the Council may require the Course Provider to provide such additional information on request as it may reasonably require, subject to the requirements of the Data Protection Act 1998.
- 10.3 Where appropriate, the Council will confirm in writing to the Course Provider that, on the basis of information received by it through the

annual monitoring, it believes that the approved course continues to meet the Rules. Otherwise, the provisions of Rule 14 will apply.

## **11. Reviewing and renewing approval of courses**

- 11.1 On a periodic basis, at intervals of no more than five years, the Council will review its approval of an approved course in accordance with the provisions of Rules 12 and 13.
- 11.2 Where the Council is not satisfied that the approved course continues to meet the Rules, the provisions of Rule 14 will apply.

## **12. Process for reviewing and renewing approval of courses**

- 12.1 There will be one internal subject review by the Course Provider within five years of the date of approval of the course by the Council, and at intervals of not more than five years thereafter. The Council will be entitled to participate in all such reviews as a full member. All such reviews will otherwise be carried out in accordance with the SHEFC Guidance to institutions on the characteristics of internal (subject) review.
- 12.2 The Council will be consulted from the outset on the timing, planning, format and process of any internal subject review. Any matters which the Council wishes to raise must be taken account of as an integral part of the review.
- 12.3 The Course Provider will provide the Council as soon as reasonably practicable with reports on the outcomes of all relevant internal subject reviews and with the reports on the outcomes of action plans where these are required.
- 12.4 Where the Council is a participant in an internal subject review, it will produce a brief, formal report to be known as a 'Review Report' which will take account of how the Course Provider is continuing to meet the Rules; indicate how comments made as part of the review process have been responded to by the Course Provider and identify any outstanding issues.
- 12.5 Where the Council believes that the Rules continue to be met, it may renew the approval of the course for a further period of five years.
- 12.6 The Course Provider will comply with any reasonable requirements imposed by the Council, and of which the Course Provider is advised in writing following a review, for the purpose of ensuring the course continues to meet the Rules.
- 12.7 If the Council considers that the Rules are no longer met, the Council will take action in accordance with Rule 14.

12.8 Copies of the Review Report will be sent to the Course Provider and to the QAA for consideration in the QAA's institutional review.

### **13. Council-led reviews of course provision**

13.1 The Council may initiate its own review of an approved course where it considers that internal subject reviews are not appropriately timed or do not sufficiently focus on the course provision.

13.2 The Council will give reasonable notice of its intention to undertake a Council-led review. Any such review will be undertaken in accordance with procedures published by the Council.

13.3 In accordance with its published procedures, the Council may arrange for persons to visit any Course Provider which is providing an approved course, for the purposes of undertaking Council-led reviews.

13.4 Such visits will normally be undertaken by officers of the Council. However, the Council may appoint Council Members or other individuals to undertake such visits so long as they do not have, or have not had any significant connection with the Course Provider being visited.

13.5 Where the Council undertakes its own review of an approved course, it will produce a 'Review Report' which addresses the areas identified in Rule 12.4 above.

13.6 Where the Council believes that the Rules continue to be met, it may renew the approval of the course for a further period of five years.

13.7 The Course Provider will comply with any reasonable requirements imposed by the Council, and of which the Course Provider is advised in writing following a review, for the purpose of ensuring the course continues to meet the Rules.

13.8 If the Council considers that the Rules are no longer met, the Council will take action in accordance with Rule 14.

13.9 Subject to the requirements of the Data Protection Act 1998, copies of the Review Report will be sent to the Course Provider and to the QAA for consideration in the QAA's institutional review.

13.10 The Council may pay reasonable fees, allowances and expenses to persons appointed as visitors taking into account the length of the visit and the time required to draft a report, the complexity of the issues to be considered and so as to reimburse them for the costs of travel, accommodation and subsistence expenses in line with the Council's Policy on Business Travel and Subsistence.

## **14. Failure of approved courses to comply with the Rules**

- 14.1 Where the Council is of the view that there may be a failure on the part of a Course Provider to comply with one or more of the Rules, the Council will attempt to ensure compliance through negotiation with the Course Provider, in the following manner:
- 14.2 The Council will advise the named correspondent of the Course Provider that the Council is in possession of information that suggests a possible failure to comply with one or more of the Rules. Thereafter, the Council will seek to obtain additional information from the Course Provider and other person or persons having an interest.
- 14.3 After consideration of any information gathered at this preliminary stage, and after providing the Course Provider with an opportunity to remedy any alleged breach of the Rules, the Council will make a decision as to whether it believes that there is no matter to pursue or that the matter has been satisfactorily resolved, in which case no further action will be taken.
- 14.4 Thereafter, where the Council remains of the view that there may be a failure on the part of the Course Provider to comply with one or more of the Rules, the Council will advise the Course Provider, in writing, of its intention to initiate an Investigation using the processes set out in Rule 15. The Council will specify the grounds for taking this course of action.
- 14.5 Where it considers it appropriate due to the seriousness of the alleged failure, the Council may omit the procedures set out in Rules 14.2 and 14.3 and may inform the Course Provider in writing of its intention to initiate an Investigation immediately, in terms of Rule 15, specifying the grounds for taking this course of action.

## **15. Investigation of approved courses**

- 15.1 The Council will commence any Investigation no later than 28 days from the date on which it gave written notice of its intention to initiate an Investigation.
- 15.2 The purpose of an Investigation will be to ascertain whether or not a Course Provider has breached one or more of the Rules.
- 15.3 In accordance with its published procedures, the Council may arrange for persons to visit any Course Provider which is providing an approved course, in connection with an Investigation.
- 15.4 Visits in connection with an Investigation will normally be undertaken by officers of the Council. However, the Council may appoint Council Members or other individuals to undertake such visits so long as they do not have, or have not had any significant

connection with the Course Provider being visited.

- 15.5 The Council may pay reasonable fees, allowances and expenses as set out in Rule 13.10 to persons appointed as visitors in terms of the Rules.
- 15.6 The Course Provider will co-operate with any Investigation, and in particular will afford the visitor such access to staff, students, premises and facilities as the Council may reasonably require for the purposes of undertaking an Investigation. The Course Provider will also co-operate with the Council in sharing relevant documentation, subject to the requirements of the Data Protection Act 1998.
- 15.7 If it is decided by the Council that the Course Provider has breached one or more of the Rules, the Council will advise the Course Provider in writing with the reasons for its decision and may require the Course Provider to undertake such remedial work as the Council sees fit. The Council will make reasonable efforts to agree, in writing, a plan of work with the Course Provider and set reasonable timescales for the Course Provider to undertake the work.
- 15.8 Thereafter where the remedial action taken by the Course Provider is considered by the Council to have remedied the breach, the Council will confirm, in writing, that it is satisfied with the action taken and confirm that the Course Provider now complies with the Rules.
- 15.9 Where the Course Provider fails to implement the remedial work referred to in Rule 15.7 within the timescale or where a plan of work is not agreed within a reasonable timescale, the Council will consider whether steps should be taken to withdraw approval of the approved course.

## **16. Withdrawal of approval**

- 16.1 The Council may withdraw approval of an approved course if it is satisfied, that a Course Provider is in breach of one or more of the Rules.
- 16.2 The Council will confirm in writing to the Course Provider any proposal to withdraw approval and the reasons for the proposal. The Course Provider will be given 28 days to make written representations to the Council regarding any such proposal. In coming to a decision on any proposal to withdraw approval, the Council will take into account any written representations so received. The Council will intimate in writing to the Course Provider any decision to withdraw approval of an approved course, the reasons for the decision, and the date on which such withdrawal becomes effective.

- 16.3 Any decision by the Council to withdraw approval will be taken with due regard to the needs and protection of all students registered on the Course. If necessary, the Council will work with the Course Provider to seek alternative provision for affected students.



## **Part IV - External examination**

### **17. External examination of approved courses**

17.1 The Course Provider will appoint and work with external examiners in accordance with the precepts and guidance set out in the Code of Practice published by the Quality Assurance Agency.

### **18. Criteria for the appointment of external examiners**

18.1 In addition to satisfying the aforementioned expectations set down by the Quality Assurance Agency in its Code of Practice, the Council requires the Course Provider to appoint external examiners who are acceptable to the Course Provider, the HEI and the Council in the following respects:

- (a) they will normally have a professional qualification in social work or some closely related field
- (b) they should have expertise and experience relevant to the provision. This may include appropriate research
- (c) they will have regard for the values espoused in the Council's Code of Practice for Social Service Workers and Code of Practice for Employers of Social Service Workers and the Council's Equal Opportunities Policy.

18.2 In appointing external examiners, the Course Provider shall ensure that:

- (a) at least one external examiner appointed to work with the Course Provider holds a recognised social work qualification
- (b) all reasonable efforts are made by the Course Provider to ensure that the appointment of external examiners reflects a balance of academic and social work practice experience
- (c) all reasonable efforts are made by the Course Provider to ensure that the appointment of external examiners reflects a mix of gender and ethnicity.

### **19. Process for external examination**

19.1 Appointments of external examiners will be for a maximum of five years.

19.2 The Course Provider will agree a contract for services with external examiners that complies with the requirements of Rules 17 and 18 and will pay any appropriate fees. This contract will specify that

the external examiner will undertake his or her role in accordance with the guidance issued by the Quality Assurance Agency.

19.3 In addition, the Course Provider should contract with external examiners to:

(a) ensure that their work takes account of how well the course is continuing to meet the Rules, the Scottish Requirements for Social Work Training, the Standards in Social Work Education, the Code of Practice for Social Service Workers, and the Code of Practice for Employers

(b) provide an annual report to the Course Provider, which the Course Provider will in turn copy to the Council.

19.4 The Course Provider will satisfy the Council that the criteria for appointment are met and appropriate contracts with external examiners are set in place as part of the process for the approval of Courses set out in Rule 7.

## **Part V - Provision of information to the Council**

### **20. Provision of information to the Council**

- 20.1 The Course Provider will be responsible for ensuring that at all times it is able to identify the status of all students who are or have been registered and is able to collect and analyse data in respect of numbers of applications; numbers of places offered; numbers of registrations; numbers of students at each assessment point who are referred, deferred, withdrawn, exited or failing; numbers of students offered entrance with credit; information about practice learning opportunities including any shortfall or delay; and equal opportunities monitoring data.
- 20.2 The Course Provider will, subject to the requirements of the Data Protection Act 1998, provide any information reasonably required by the Council in terms of the Rules, within 10 days of being requested to do so, or in such other timescales as may be reasonably imposed by the Council.



## **Part VI – Appeals against decisions of the Council**

### **21. Appeals against decisions of the Council**

- 21.1 The Council will operate an Appeals Process whereby a Course Provider may appeal to the Council against a decision not to approve a course in terms of Rule 7, any requirements of the Council imposed in terms of Rule 12.6 or Rule 13.7 or any decision to withdraw approval in terms of Rule 16.
- 21.2 A decision such as mentioned in Rule 21.1, other than a decision not to approve a course in terms of Rule 7 which will be of immediate effect, will not take effect –
- (a) if no appeal is brought, until the period of 28 days referred to in Rule 23.3 has elapsed; and
  - (b) if an appeal is brought, until that appeal is finally determined and the appeal is not upheld, or the appeal is abandoned.

### **22. Criteria for appeals**

- 22.1 A Course Provider may appeal against a decision of the Council referred to in Rule 21.1 on the following grounds:
- (a) that the Council did not take into account material information which was made known to it at the time of the decision
  - (b) that new information which could not have been made available at the time of the decision and which materially affects the outcome has since become available
  - (c) that the Council based its decision on an incorrect material fact
  - (d) that the Council did not observe its own procedures and that this failure materially affected the decision
  - (e) that the Council acted contrary to natural justice
  - (f) that the Council exercised its discretion in an unreasonable manner.

### **23. Appeals process**

- 23.1 An appeal will be heard by an Appeals Panel consisting of two members of the Council and an individual who is not a member or officer of the Council, but who has knowledge and experience of the type of course provision which is the subject of the appeal. No person may be a member of the Appeals Panel if that person has

had any previous involvement in the matter which is the subject of the appeal.

- 23.2 The members of any Appeals Panel will be independent of the Course Provider making the appeal.
- 23.3 A written notice of appeal must be lodged with the Council within 28 days of notification of the decision appealed against and must identify:
  - (a) the decision being appealed against
  - (b) the grounds for appeal.
- 23.4 A written statement in support of the appeal and any documentary evidence may also be lodged with the Council by the Course Provider within this timescale. The Council may lodge any documentary evidence within 7 days of receipt of the written notice of appeal. The Course Provider and the Council will be given the opportunity to examine documentary evidence lodged by the other party no later than 14 days prior to the hearing of the appeal.
- 23.5 The appeal will be heard within 28 days of receipt of written notice of appeal by the Council where it is practicable to do so. Otherwise the appeal will be heard as soon as reasonably practicable.
- 23.6 Subject to the requirements of natural justice and the Rules, the Appeals Panel may agree its own procedures.
- 23.7 The Appeals Panel may hear oral submissions by the Course Provider and the Council and may consider documentary evidence and the evidence of witnesses.
- 23.8 The standard of proof will be on the balance of probabilities.
- 23.9 An Appeals Panel may, by majority vote, make one of the following decisions:
  - (a) the appeal is upheld, in which case an officer of the Council may be directed to consider any material information known about, but not taken into account at the time of the decision appealed against or new material information or agree an action plan to rectify the effect of any failure to observe its own procedures which materially affected the decision, and make a new decision on the matter in terms of the Rules
  - (b) the appeal is not upheld, in which case the original decision will stand
  - (c) adjourn consideration of the appeal to a later date and if it thinks it appropriate to do so, require an officer of the Council

and/or the Course Provider to provide additional information to the reconvened hearing.

23.10 The Council will issue to the Course Provider a written report setting out the Appeal Panel's decision and the reasons for its decision within 14 days of the Appeals Panel's decision.

23.11 The Council will make available detailed information about its Appeals Process on the Council's website on the Internet and in such other manner as the Council sees fit.

23.12 The Appeals Panel's decision will be final.





## **Part VII – Public record**

### **24. Public record**

- 24.1 The Council is committed to operating systems that are open and transparent to all. Once a course has been approved, the application document submitted by the Course Provider and approved by the Council together with the completed Form of Agreement will become a public record. The Council will produce an annual report on the outcomes of its quality assurance and enhancement activity.



## **Part VIII Review and amendment of the Rules**

### **25. Review and amendment of the Rules**

- 25.1 The Council may review and amend the Rules from time to time with the consent of Scottish Ministers.



For further information please contact:

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

Lo call: 0845 60 30 891  
Tel: 01382 207101  
Fax: 01382 207215  
Email: [enquiries@sssc.uk.com](mailto:enquiries@sssc.uk.com)  
Website: [www.sssc.uk.com](http://www.sssc.uk.com)