

Mr Colum Conway, Chief Executive
Northern Ireland Social Care Council
7th Floor, Millennium House
19-25 Great Victoria Street
Belfast
BT2 7AQ

22 December 2016

Dear Mr Conway,

Code of Practice for Employers of Social Care Workers

Thank you for the opportunity to respond to the Council's review on the draft Code of Practice for employers of social care workers, which I have the pleasure to do on behalf of the United Kingdom Homecare Association (UKHCA).

The enclosed paper responds to the issues that the Commission has raised. Please do contact me if you require any additional information.

Yours sincerely,

Daniel Jones
Policy Officer
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Response submitted by UKHCA for NISCC

1. Do you think the draft standards adequately reflect the responsibilities employers have in the regulation of the social work and social care workforce?

Yes. We believe the draft standards adequately reflect the responsibilities of employers, subject to the clarifications which we have indicated in Q3.

2. Do you think any additional standards are necessary?

No. We do not believe that any additional standards are necessary.

3. Do you think there are any standards which should be reworded or removed?

Yes. There are a number of areas we believe require clarification:

- a. In Standard 1 there is a reference to "values-led" care. We believe the interpretation of "values-led" should be explicit in the Code.
- b. We believe there should be clarification on whether "required pre-employment health checks" are mandated by regulation, or if they are ones which are reasonable for employers to undertake.
- c. Paragraph 2.5 of the Code requires clarification and re-drafting, on the basis that it is both grammatically ambiguous and may place an obligation on employers which they are unable to meet.

Employers may (and should) indicate the standards of conduct expected of their employees, and specify any occupational requirements for their initial engagement or continued employment.

However, employers are not in a position to compel members of their workforce register or maintain their registration, as this is an action which can only be undertaken by the individual.

Sanctions that employers can take against employees who do not comply with lawful requirements are (a) not to engage workers, (b) disciplinary action to correct unacceptable behaviour, or (c) dismissing workers lawfully.

We recommend that the statement reads:

"Advising workers of their obligation to obtain and maintain registration (where required to do so), and being clear about the consequences of failing to do so."

4. Do you have any other comments on the standards?

UKHCA welcomes the inclusion of the Duty of Candour requirement which we believe will promote higher quality care and better experience for service users and support for providers.