



Chair Membership of the NISCC's Registration and Fitness to Practise Committees

Information Pack

Closing Date: **Tuesday 17 January 2017 at 4 pm**

Interview Date: **Wednesday 08 February 2017**

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Introduction from Mr Jim Perry, Chair of NISCC

The Northern Ireland Social Care Council (NISCC) is the regulator for the social care workforce in Northern Ireland. This workforce includes social care workers, social workers and social work students. Our role is to raise the quality of social care practice; to strengthen safeguards to protect people using social care services and to increase public confidence in our workforce.

There are approximately 35,000 people in the social care workforce, all of whom will be registered with NISCC by March 2017. NISCC registrants are committed to meeting the NISCC Standards for their conduct and practice, and are required to update their skills and knowledge throughout their social care career.

The changing nature of social care means that we require both a robust and adaptable system of workforce regulation. Our Registration and Fitness to Practise procedures are vital to protect the 200,000 people who use care services from unsuitable individuals who fall short of the standards expected of a registered worker. Only by taking action when it is required can we hope to maintain a proud and professional social care workforce.

NISCC Registration and Fitness to Practise Committees play a key role in delivering our registration and regulation systems in a fair and transparent way. To ensure that Committees reflect the interests of all of those involved in social care and those who use the services they provide, Committee Members are drawn from a range of staff in different job roles across the social care sector and lay people who wish to contribute to regulation.

The Committee Member role demands sound judgement, impartiality and the ability to apply fair and proportionate sanctions where appropriate. The success and public perception of the Northern Ireland Social Care Council will be partly measured by the performance and decisions of members of its Committees which consider a registrant's suitability to register with NISCC or to remain on the NISCC Register.

If you have the necessary qualities we need, and would like to assist us in assessing the suitability of applicants to join the social care Register and assessing evidence of allegations against registrants by participating as a Committee Member, then we look forward to hearing from you.

Yours sincerely,



Jim Perry
Chair
Northern Ireland Social Care Council



About the Northern Ireland Social Care Council

NISCC is a non-departmental public body accountable to the Northern Ireland Assembly and sponsored by the Department of Health (NI) (Office of Social Services). NISCC was founded in 2001 as the regulatory body for the social care workforce in Northern Ireland under the Health and Personal Social Services Act (Northern Ireland) 2001. We are one of 12 UK health and social care regulators established to ensure that health and social care workers are regulated against agreed standards.

On 01 June 2005, registration became compulsory for social workers in Northern Ireland and protection of title was enforced, meaning that anyone not registered with NISCC who uses the title 'social worker' is committing an offence. It is also compulsory for the following groups of social care workers to be registered:

- Domiciliary care managers
- Day care managers
- Residential home managers
- Adult residential care workers
- Residential child care workers.

In June 2015, the Minister for Health, Social Services and Public Safety announced the further roll out of registration to the domiciliary care and day care workforce. This means that the total number of social workers, student social workers and social care workers on the Register by the end of March 2017 will be around 35,000.

Our organisational aim is 'to protect the public through improving safeguards for vulnerable people, raising the standards of social care practice and strengthening the professionalism of the workforce'.

Social workers and social care workers provide vital care and support to over 200,000 service users across Northern Ireland every day, helping them to live their lives as independently and safely as possible. Registration with NISCC, and the requirement for registrants to continually update their training, helps to protect the public from poor standards and gives social care workers the professional recognition which they deserve.

NISCC has a statutory requirement to produce and publish standards of conduct and practice which are expected of social workers and social care workers. The Standards of Conduct describe the values, attitudes and behaviours expected of registrants in their day to day work, while the Standards of Practice outline the knowledge and skills required for competent practice. Both sets of Standards combine to provide a baseline against which a registrant's conduct and practice will be judged.

The Standards are binding on all registrants, irrespective of employment status or work setting. Fitness to practise is evaluated against these Standards and failure to comply could put registration at risk. If a concern is raised about a registrant's conduct or practice, it will be measured against the Standards when deciding what, if any, action needs to be taken.

The Standards are intended to reflect existing good practice and public expectations of the behaviour and practice of social workers and social care workers. They form part of the wider package of legislation, regulatory requirements, practice standards and employers' policies and procedures that registrants must meet.

NISCC's regulatory Committees are governed by two sets of Rules:

- NISCC (Registration) (Amendment) Rules 2016
- NISCC Fitness to Practise Rules 2016.

The Rules set out the administrative arrangements and procedures which must be adhered to in the course of proceedings.

About the role

NISCC maintains a pool of approximately 30 lay and social care members to sit on its Registration and Fitness to Practise Committees. Each Committee is scheduled as frequently as case load demands, and one social care member and two lay members (one acting as Chair) are selected from the pool to make up the Committee on each occasion. A Legal Adviser sits with the Committee to provide advice and to ensure that proceedings are conducted appropriately.

There are four regulatory Committees:

1. NISCC refers to the **Registration Committee** any application for registration which it is not minded to grant, or which it is minded to grant subject to condition(s). The Registration Committee meets in private to consider the application, and the applicant and / or their representative may attend and make oral submissions in support of their application.
2. Where an allegation of misconduct or lack of competence is made against a registrant, or where a registrant had been convicted of a criminal offence, and where the case is not appropriate for consensual disposal, NISCC refers the case to the **Preliminary Proceedings Committee** (PPC) to determine whether the evidence is such that it should proceed to a fitness to practise hearing to test the evidence. In circumstances where it is necessary for protection of the public, or it is otherwise in the public interest or it is in the interests of the registrant, the PPC may make an Order suspending the registrant's registration, or impose conditions on the registrant's registration, until such time as the matter has been concluded.
3. The **Fitness to Practise Committee** (FtP) considers the allegations against the registrant and determines:
 - Whether the facts in the allegation are proved
 - Whether, if the facts are found proved, the registrant's fitness to practise is impaired
 - Where the registrant's fitness to practise is impaired, what sanction to impose.

The following sanctions may be imposed upon a finding of impaired fitness to practise:

- A Warning for a period of up to five years
 - A Conditions of Practice Order
 - A Suspension Order
 - A Removal Order.
4. Where a registrant has been removed from the Register following a finding by the FtP Committee, he / she may make an application for restoration to the Register after a period of five years has elapsed. The **Restoration Committee** considers such applications.

Committee Members

Membership of Committees

NISCC is required by Rules to appoint a lay Chair to sit on each Committee. The NISCC Fitness to Practise Rules define a lay member (including Chairs) as follows:

‘ **“Lay Person”** means a person who is not, and has not within 5 years of an appointment to the Fitness to Practise Committee ever been –

- (a) a social worker or social care worker; or
- (b) involved in the training, education, appointment, employment, supply, supervision, monitoring or representation of social workers or social care workers.’

Eligibility

We are initially seeking to appoint **three lay Chairs** to the Committees. However, we may draw off a reserve list if we need to supplement the pool over the next two years. To be considered a lay person, you must meet the definition set out above. If you are unsure as to whether you meet the eligibility criteria, you should contact Caroline Cumberland at niscc.committee@hscni.net or on 028 9536 2931.

Role of Chair

The duties of a Chair include:

- Prior to the commencement of the hearing, to remind the Committee Members of their roles and responsibilities in relation to each stage of the proceedings
- To manage proceedings at the hearing
- At the commencement of the hearing, to explain procedures to all parties, specifying what is expected
- To refer to the Legal Adviser or Committee Clerk for legal and / or procedural advice where appropriate
- To ensure that Committee Members and all parties involved in the hearing are given the opportunity to address relevant questions and remain focused on key issues
- To maintain firm and effective control of the Committee and its proceedings
- To establish rapport with Committee Members and the Legal Adviser in an authoritative, open and participative style, which acknowledges the diverse and equal contributions made by them.
- To challenge and manage inappropriate behaviour by a Committee Member or any other person present at the hearing
- To challenge discriminatory views in an appropriate way
- To make efficient and effective use of adjournments and resources
- To guide the Committee through each stage of the decision-making process
- To ensure that private conference discussion is focused, purposeful and relevant

- To ensure that all procedures are observed and that decisions are reached by consensus or vote
- To work with the Legal Adviser and Committee Members to draft decisions, including the rationale for those decisions. This should enable all parties to understand how the decision was reached
- To deliver the Committee's decisions and reasons in a clear, concise, authoritative and timely manner
- To provide constructive feedback by completing the Chair's report form and engage in any other post-Committee feedback system
- To respond constructively to any form of feedback about own conduct or performance
- To keep up-to-date with all Council policies and guidance and adhere to same at all times
- To participate in all required Committee Member training events
- To comply with the NISCC Code of Conduct for Committee Members
- To respond promptly to all communication from NISCC
- To comply with NISCC's equal opportunities policy and procedures.

Personnel Specification

Applicants will be shortlisted for interview against the following essential knowledge, qualities, skills and abilities. All applicants should demonstrate on the application form how they meet these requirements through the use of specific examples from their own experience. The information provided here will be used as the basis on which to shortlist for interview, so it is very important that applicants demonstrate all of the criteria listed.

Essential Criteria

Abilities and Skills

1. Ability to maintain firm and effective control of the Committee and proceedings
2. Ability to command the trust and confidence of all parties
3. Ability to consider competing views and draw sound conclusions capable of justification under close scrutiny
4. Ability to work collaboratively with the Legal Adviser on the formulation of reasons for decisions made
5. Ability to undertake relevant and focused questioning in relation to the evidence presented
6. Ability to handle sensitive information
7. Leadership skills which allow the achievement of results in a timely fashion
8. Ability to ensure the maximum contribution of all Committee Members, Council staff and the Legal Adviser

9. Ability to facilitate discussion and develop consensus with a diverse group of individuals
10. Excellent communication skills, both oral and written
11. Ability to express ideas and information clearly and succinctly
12. Ability to clearly explain procedures to all parties and provide procedural guidance to registrants, particularly those who are unrepresented
13. Ability to provide appropriate and constructive feedback in order to promote improvements to processes, procedures and behaviours
14. Have a non-discriminatory approach to cultural differences.

Knowledge and Experience

15. At least three years' experience of chairing fitness to practise proceedings with a professional regulator
16. Understanding of how a Committee upholds professional standards and ensures the highest level of public protection, balanced with fairness to the registrant
17. Understanding of the statutory framework, including application of the Council's policy and guidance
18. Knowledge of the rules around confidentiality
19. Knowledge of the principles of equal opportunities and diversity
20. Knowledge of, and commitment to, public responsibility as enshrined in the Nolan Principles.

Personal Characteristics

21. Demonstrate an understanding of NISCC as a publicly funded regulator (non-departmental public body)
22. Ability to command public trust and professional confidence
23. Have a genuine interest in safeguarding the well-being of the public
24. Have sound judgement coupled with mental resilience to participate in making difficult evidence-based decisions
25. Demonstrate a high level of integrity in personal and professional life
26. Ability to manage the unexpected in a calm, authoritative and collaborative manner
27. Ability to reflect on own performance and receive criticism constructively.

On Appointment

Remuneration

The attendance fee for Chairs is £225 per full day of sitting. A half-day fee of £112.50 is paid for sittings which conclude before 2 pm. A fee of £50 is paid for all training days, regardless of length of day. Reasonable travel and subsistence allowances are also payable and calculated on an individual basis.

Fees are not subject to VAT.

Time Commitment

Caseload dictates frequency of Committee business. Members should be prepared to commit up to seven days per year although NISCC is unable to guarantee the number of sittings which you will be offered per year.

Hearings commence from 9.30 am onwards. Members must be prepared to sit until business has been concluded for the day or until 6.30 pm, whichever happens first.

Location

NISCC is based at Millennium House, 19-25 Great Victoria Street, Belfast, and is the venue for most Committees. However, there could be occasions when you would be required to sit at an outside venue.

Performance

NISCC has a performance appraisal system in place and all Members will be assessed against this at least once per year.

Training

Members are required to complete induction training and to observe two Committees before being eligible to sit on a Committee. Attendance at refresher training on an on-going basis is also required.

Term of Appointment

Members are appointed for a period not exceeding four years. Reappointments can be made for a further period not exceeding four years. Terms of appointment are based on the needs of NISCC and are subject to performance, and re-appointments are therefore not automatic.

Conduct

The role requires a high degree of personal integrity and conduct, and Members must sign up to NISCC's Code of Conduct for Committee Members. A breach of the Code of Conduct may lead to termination of office.

You should note that being recruited to sit as a Chair is an appointment rather than a job, and is not subject to the provisions of employment law.

Application Process

How to apply

You should complete and submit an application form, which can be downloaded from our website www.niscc.info. Guidance notes can also be downloaded from the website to help you complete your application.

Applications must be received by 4 pm on Tuesday 17 January 2017. Late applications cannot be accepted. We would encourage you to submit your application electronically to niscc.committee@hscni.net. The time at which an electronic application is received will be determined by the time indicated automatically on the email. If you are sending an application by post, you should be aware that mail may not be delivered to NISCC until after 4 pm. If you submit your application form electronically, you will receive an acknowledgement email within two working days. Hard copy applications will be acknowledged within five working days of receipt.

Disclosure

You should note that failure to disclose information on your application form surrounding disciplinary matters or criminal investigations or proceedings will be treated seriously and is likely to result in your term of appointment being terminated. If you are registered with another regulator, it could result in fitness to practise proceedings being brought against you. Declaring information will not necessarily debar you from appointment.

Selection Process

An indicative timetable for the process is as follows:

| | |
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| Closing Date | Tuesday 17 January 2017 at 4 pm |
| Sifting | Wednesday 18 January 2017 |
| Shortlist | Wednesday 25 January 2017 |
| Interviews | Wednesday 08 February 2017 |
| Induction Training | Wednesday 05 and Thursday 06 April 2017 |

Sifting - the first stage following the closing date is to sift the applications received to ensure that all applicants meet the eligibility criteria. You will be advised in writing if you do not meet the eligibility criteria.

Shortlisting - applications which meet the eligibility criteria will then be shortlisted against the personnel specification. You will be informed in writing whether or not you have been shortlisted for interview.

Interviews - interviews will be competency based and will last for approximately 30 – 45 minutes. An alternative date will be offered only at the discretion of the interview panel if you are unable to attend on the date set. All candidates who attend interview will be informed of the outcome within 14 working days.

Training - letters of offer will be issued to successful candidates explaining that the offer is subject to two satisfactory referee reports and completion of a two day mandatory training course, for which they will be paid the training fee of £50 per day. Failure to complete the training course will result in the offer being rescinded.

Please note that the dates contained within the table above are indicative only. While all efforts will be taken to ensure that the timetable is adhered to, unforeseen circumstances may dictate a change in any or all of the above dates.

Reasonable Adjustments

NISCC welcomes applications from persons with a disability and persons without a disability. If you consider that a reasonable adjustment would be helpful at any stage of the process, please contact Caroline Cumberland on 028 9536 2931 or at niscc.committee@hscni.net.

Feedback

You may request feedback about any decision made concerning your application during the selection process. All requests for feedback must be made within seven days from the date of the written notification which you receive. Your request will be acknowledged within five working days.

Complaints

If you wish to make a complaint about any aspect of the selection process, you may do so by completing the NISCC Complaint Form. This can be accessed on the About Us section of our website, www.niscc.info. A complaint should be lodged within 28 days of the matter(s) complained of.

Enquiries

If you have an enquiry about any aspect of the role or about making an application, please contact Caroline Cumberland, Committee Manager, on 028 9536 2931 or email niscc.committee@hscni.net.

Appendix 1

The Seven Principles of Public Life

As a public body, the NISCC expects Committee Members to demonstrate the following principles:

Selflessness

Holders of public office should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

Integrity

Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties.

Objectivity

In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

Accountability

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

Openness

Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

Honesty

Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interests.

Leadership

Holders of public office should promote and support these principles by leadership and example.