

Information leaflet for applicants who have been referred to the Registration Committee

You have been referred to the Registration Committee as the Social Care Council has concerns about your application for registration on the Social Care Register.

This information leaflet should help you understand what will happen next.

This information leaflet does not cover any specific details about your case. With this leaflet, you have received a Notice of Referral, together with a copy of the Report to the Registration Committee which contains the documentary evidence obtained by the Council. These documents contain the details and reasons for why the Social Care Council considers that you may not be of good character, conduct and / or competence.

The Registration Committee follows a process which is set out in the Northern Ireland Social Care Council (Registration) Rules. The Rules ensure that we deal with all cases in a fair, consistent and transparent manner.

When your application was received by the Registration department, it was processed and passed over to the Fitness to Practise team for assessment. Applications are passed over to the Fitness to Practise team if there are issues

which require additional assessment, such as a criminal record, disciplinary record or concerns over your mental / physical health.

The Registration Committee

The Registration Committee will meet to review your application alongside the documentary evidence.

The Committee is made up of a Chair and two Committee Members. One of the Committee Members is a registered social care worker. The other Member and the Chair are lay people, meaning that they do not work in social care and are not on the Social Care Register.

The Registration Committee is independent of the Council.

The Registration Committee is assisted by a Legal Adviser, who is a qualified solicitor or barrister. The Legal Adviser's role is to provide advice to the Committee on points of law and procedure, and to make sure that the Committee acts fairly and in accordance with the law. The Legal Adviser does not make any decisions regarding your application.

The Role of the Registration Committee

The Registration Committee must follow the Registration Rules and use its professional judgement to decide whether or not to grant your application for registration. We would recommend that you obtain legal or trade union representation to provide you with advice on this. If you do not have representation and would like to discuss the role of the Registration Committee, you should contact us without delay.

Options Open to the Registration Committee

After a thorough and robust examination of the documentary and any oral evidence, the

Registration Committee will make one of the following decisions regarding your application:

- Grant your application for registration; **or**
- Refuse your application for registration: **or**
- Grant your application for registration with conditions.

Decision to Grant Your Application

If the Registration Committee is satisfied that you are of good character, conduct and competence, it will grant your application on to the Social Care Register with immediate effect. You will receive your certificate in due course.

Decision to Refuse Your Application

If, having reviewed all of the information available to it, the Committee decides that it is not satisfied that you are of good character, conduct or competence, it will refuse your application for registration. If the Committee makes this decision, you will have the right to make an appeal to the Care Tribunal.

Decision to Grant Your Application Subject to Conditions

The Committee may decide that, while it has concerns about your application, you should be registered subject to certain conditions. You would have to make your current or future employer aware of the conditions placed on your registration.

If the Committee wants to impose conditions which have not been set out in the enclosed Notice of Referral, it will take one of the following actions:

- a. If you are at the meeting, the Committee will ask you (or your representative) for your views on the proposed conditions. You must be given the opportunity to address the Committee about them, but the Committee does not need your agreement to impose the conditions.

- b. If you are not at the meeting, the Committee will postpone its decision until you have been sent the proposed conditions in writing. You will be given a new date on which the Committee will meet again to make its final decision.

What Should You Do Next?

The Notice of Referral which you have received sets out the date, time and venue of the meeting, along with a brief description of the concerns which the Council has about your application.

You should read the accompanying bundle of documentary evidence very carefully. The Report to the Registration Committee sets out very clearly the reasons why your application has been referred to the Committee.

After you have read all of the documentation which you have received, we would recommend that you seek legal or trade union advice if you haven't already done so. You may also want to write to the Committee with information which you would like it to consider. This is known as submitting written representations.

Written representations should be signed and dated and sent to the Committee Clerk no later than 14 days after you receive the Notice of Referral.

You can find guidance on what to include in your written representations below. The Registration Committee finds it very useful when it receives written representations, which can help with its decision-making.

You should also provide the Registration Committee (via the Committee Clerk) with any evidence you have to support your case.

Criminal Conviction(s)

You should provide more information surrounding the circumstances, including:

- Your explanation of the offence(s);
- The sentence imposed for the offence(s);
- Any change in your circumstances since you committed the offence(s);
- Anything you have done since the offence(s) which demonstrates your good character and successful rehabilitation.

Disciplinary Matters

If there are disciplinary matters which the Council views as relevant to your application, you may wish to provide the Committee with information regarding:

- The circumstances surrounding the matter and your explanation of the matter;
- Any action taken by your employer;
- Any change in your circumstances since the matter;
- Anything you have done since the matter which demonstrates your good character and successful rehabilitation.

Health Conditions

If you have a health condition which the Council considers to be relevant to your application, you should provide the Committee with more information, including:

- Whether your condition has affected your performance in either your current or previous employment;
- Whether you consider the medical reports are a true representation of your ability to meet the registration criteria;
- Any action already taken by your employer in respect of your health;
- Any change in your circumstances since you submitted your application;
- Anything else you consider to be relevant.

Character References

You should consider obtaining and sending in character references for the Committee. They could be from your current or previous employer, or from someone else who holds a place in the community or who knows you or your work well e.g. your local clergyman or priest or maybe the family of a service user.

References should:

- Be marked 'For the Attention of the Registration Committee Chair';
- Contain a statement of truth (e.g. I believe that the facts contained in this statement are true);
- Be signed and dated.

Should You Attend?

You are entitled to attend the meeting and we would strongly encourage you to do so. The Registration Committee will listen very carefully to what you or your representative has to say and will take it into account when making its decision.

If you wish to attend, you must contact the Committee Clerk as soon as possible. The Committee will be considering a number of cases on the same date as yours and all cases are listed for 9.30 am. It is important that you let us know in advance if you would like to attend. You will have to wait for your case to be called and you should be available for the whole day. A private waiting room will be provided for you and you may want to bring reading material with you to keep you occupied while you are waiting.

Change of Address

You should make sure that you notify us if you change your address or other contact details. This is particularly important as you have been referred to the Registration Committee and it

will proceed even if we have been unable to contact you because you have moved, and you may miss the chance to put your case forward to the Committee.

Contact Us

If you have any queries about the Registration Committee process, or wish to attend the meeting, please contact the Committee Clerk on 028 9536 2933 or email niscc.committee@hscni.net .

Professional Advice

This information leaflet is to provide you with guidance only. It should be read together with the Registration Rules and it is strongly recommended that you take legal or trade union advice. The Registration Committee will be making a very important decision which could affect your ability to work in social work or social care.

Please note that due to the Covid-19 pandemic, all Social Care Council Committees are currently being held remotely. This guidance should be read in conjunction with the Northern Ireland Social Care Council Registration & Fitness to Practise Proceedings COVID-19 Arrangements.