

# CARE STANDARDS ACT 2000

---

## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### Part IV: Social Care Workers

##### Training

##### *Sections 63 Approval of courses etc*

162. The Council will take over the regulation of professional social work training and related post-qualifying training from the Central Council for Education and Training in Social Work (CCETSW). *Section 63* gives wide powers to the Council to make rules about the approval of courses with the intention of ensuring the consistency and quality of the education to be provided for social workers at pre- and post-qualifying levels.
163. It is essential that all social care training is appropriately regulated if standards in social care work are to be improved. This is part of the main intention behind the establishment of the Councils. CCETSW has the statutory duty to regulate professional social work training only. The new Councils will have functions in respect of training for all social care work. When CCETSW, which is a UK body, ceases to exercise its functions in relation to England and Wales, the regulation of professional social work training in England will be transferred to the GSCC, and training in Wales will be transferred to the CCW as the most appropriate bodies. Scotland and Northern Ireland will legislate separately to create new arrangements for CCETSW's functions.
164. National Vocational Qualifications (NVQs), the qualifications for the non-professional social care staff, are already regulated by the Qualifications and Curriculum Authority. It would not be sensible to remove social care NVQs from these overall arrangements for NVQs for separate regulation. The Council's function in respect of this type of training will be to make completion of particular NVQ courses a requirement to registration. An example in England may be the registration of residential childcare workers, which would be likely to require qualification at NVQ level 3, as discussed in the commentary on section 56 earlier in these notes.

##### *Section 64 Qualifications gained outside a Council's area*

165. The Council will register professional social workers on the basis of their having successfully completed a period of approved training. The GSCC will approve training in England, and the CCW will approve training in Wales. *Section 64(1)* provides for the GSCC to recognise, for the purposes of registration, qualifications gained outside England as being the equivalent of those gained through GSCC approved training in this country. *Section 64(2)* makes an equivalent provision for the CCW. As each of the UK countries will have its own regulatory body for social care, this section applies to qualifications gained in Scotland, Wales and Northern Ireland as well as those gained in other EEA States and in other parts of the world.

### ***Section 65 Post registration training***

166. It is common in other professions for continued registration with a regulatory body to be linked to continuing professional education and development. Continuing education is no less needed in social care, where safe, legal practice depends on an individual's updated knowledge of research advances and developments in best practice. *Section 65* therefore makes provision for the Council to be able to make rules requiring registered persons to undertake additional training. The Council will consult relevant persons before making or later varying these rules.

### ***Section 66 Visitors for certain social work courses***

167. As part of its powers to approve and monitor the effectiveness of individual training courses in social work, the Council will need to be able to visit and report on the places delivering this training. *Section 66* gives the Council powers to be able to appoint and pay the visitors to undertake this work on its behalf and to visit the place offering the training. Provision is made in respect of visits to both higher education institutes, which deliver the academic element of the training, and social services agencies that provide the practice placements where students can develop their practical skills.

### ***Section 67 Functions of the appropriate Minister***

168. *Section 67* gives certain functions to the appropriate Minister, who can delegate such functions to the relevant Council. In addition, the Secretary of State may authorise any person to exercise his functions, and will be able to choose an appropriate person to carry out the function efficiently and effectively. In Wales, the Assembly can similarly authorise any person to exercise its functions.
169. *Subsection (1)* gives the appropriate Minister responsibility to ascertain the training needs of the social care workforce and the financial and other assistance required to promote such training. He is also given responsibility to encourage provision of assistance, and for the drawing up of occupational standards in social care. In England these powers are intended to be delegated to the *Training Organisation for Personal Social Services (TOPSS) England*. In Wales, these functions will be delegated to TOPSS-Wales.
170. *Subsections (2) and (3)* establish the promotion of social care training as a function of the appropriate Minister, which he can devolve to the relevant Council. Promotion of social work training is one of the functions currently undertaken by CCETSW. This section extends the function so that it encompasses the promotion of training for all social care not just for professional social workers. Promotion of training includes publicising training opportunities, attracting potential students to training and providing information for social care staff and recruits enquiring about training. It is intended that in England, this function will also be devolved to TOPSS as the most suitable body.
171. *Subsection (4)* of this section gives the appropriate Minister the power to pay grants and allowances to students and grants to organisations involved in training. In England it is intended that the Secretary of State will devolve the power to pay these grants to the GSCC.

---

*1 TOPSS is the National Training Organisation (NTO) for the social care sector. NTOs are an initiative by the Department for Education and Employment to provide each sector of industry with an employment-led body that has national responsibilities for workforce and training issues. TOPSS was established with assistance from the Department of Health and was established as an independent employment-led organisation from 1 April 2000. Employment interests from all sectors of social care are already represented on it. TOPSS has produced a National Training Strategy for England, which was distributed widely in the social care field in November 1999 for comment. TOPSS-England is the England arm of this UK body. The Welsh arm will be incorporated into the Care Council for Wales.*