

How to raise concerns about a social worker's or social work student's conduct

Guidance for service users and members
of the public

Protecting the public: promoting high standards

The General Social Care Council (GSCC) was set up by Parliament to guard standards within the social care workforce for the benefit and protection of service users, their carers and the general public.

All social workers working in England need to be registered with the GSCC, which is the social care workforce regulator in England. There are similar regulators for Northern Ireland, Scotland and Wales.

Registration involves social workers being properly trained, committed to the highest professional standards and being accountable for their work and behaviour.

All social care workers need to abide by the GSCC's code of practice which in summary states that all social workers must:

- protect the rights and promote the interests of service users and carers;
- maintain the trust and confidence of service users;
- uphold public trust and confidence in social care; and
- be accountable for the quality of their work.

You can read the codes in full on our website www.gsc.org.uk or contact the GSCC for a copy in a variety of languages and formats (see page 3 for contact details).

What is a referral?

Service users and the public can raise concerns about a social worker's or social work student's conduct by making a referral to the GSCC.

A referral can be made about a social worker or social work student you suspect has broken the codes of practice, which calls into question their suitability to work in social care.

Referrals need to relate to a social worker or social work student who is on the GSCC's Social Care Register. It must be a specific allegation of misconduct about that registrant.

The GSCC takes referrals about registrants very seriously. We will investigate all referrals made to us.

How to make a referral?

It is usually best to raise a concern about a social worker's or student's conduct with their employer first. They are responsible for ensuring high standards in service provision and will refer serious matters to us.

There are various steps in the referral process (see page 8) and you can contact the GSCC to discuss your concerns or for advice at any step in the process.

We understand that raising such concerns can sometimes be a difficult and stressful process so please be assured that we will take all cases

seriously. You can contact the GSCC in a number of different ways including phone, post or email. Please let us know about any difficulties you might have in getting your concern across to us and we will do our best to help or direct you to an organisation that might be able to support you.

How can I contact the GSCC about conduct referrals?

By email: conduct@gsc.org.uk

By phone: 020 7397 5120

By fax: 020 7397 5121

Or write to:

Conduct Referral Service

General Social Care Council

Goldings House

2 Hay's Lane

London SE1 2HB

What information will we need?

We will usually need:

- The name of the social worker or social work student and where they work or have worked (if the matter relates to a situation in the past).
- Your contact details.
- A full description of what concerns you and when and where it happened.

What will happen if I make a referral?

Tell us about your concerns

You can tell us about your concerns in a number of ways, including filling in the form on page 9. You can telephone us, write to us, or email us to discuss your concern.

Once we have clarified the nature of your concerns, we may inform the registrant of the referral. This may happen immediately or after an initial investigation depending on the nature of the issue, unless there are public safety concerns or it is in the interest of the service user to keep it confidential.

You may have already made a complaint to the social worker's employer or the social work student's college or university. This is often helpful in dealing with concerns initially. During our investigation if we decide to proceed we will inform the employer that a referral has been made and check what they have done about it.

Working with other organisations

It is important to note that we have to report any concerns about breaking the law to the police. If the police or another organisation is already looking into the complaint, we will let you know. We may wait until the outcome of their investigation (such as a court case) before we take further action.

Initial confirmation of allegations and analysis to establish seriousness

We will review what you tell us very carefully. If the referral is determined to be a complaint and we think it affects a person's suitability to be registered, we will refer the matter to an independent committee. If this committee believes that there is a case against the social worker or social work student, they will refer the case for a more detailed investigation. In some cases, the worker or student can be suspended.

We will do this in a way that ensures public protection. We will check with you before passing information to other people or organisations. It is also important that we are fair to the social worker or social work student involved, starting from a presumption of their innocence before the evidence is examined.

Please remember that if we take things forward we may ask you to provide more information or act as a witness in a hearing if necessary.

Deciding on the evidence

If we do take a complaint forward, another independent committee will look at all the information and will decide on the evidence whether there is a "real prospect" of finding a case of misconduct. If this committee decides that there is such a case then this will then be referred on to an independent Conduct Committee, which will make its decision based on the evidence. This is called adjudication. The Conduct Committee decides

whether there has been a breach of the codes of practice and what should be done about it. Conduct Committee hearings are open to the public.

What action could be taken against a social worker or social work student who has committed serious misconduct?

There are three options:

- **Removal** from the Social Care Register which would prevent them from working as a social worker or undertaking their training as a social work student.
- **Suspension** from the Social Care Register, for a period of time pending further investigation.
- **Admonishment** (a caution/public record).

The Conduct Committee may also decide that no action should be taken and the case closed.

Where there is a finding of misconduct, the social worker or social work student has a right of appeal to the Care Standards Tribunal. This is an independent body outside of the GSCC, established under Section 9 of the Protection of Children Act 1999 and holds its tribunal hearings in public.

What will happen if my referral is about someone who isn't registered?

If the social worker or social work student you wish to raise a concern about isn't registered we still want to hear about your concern. We will look at who can help you with your concern and provide details of who it is best to speak with. If appropriate, we will keep your information on record so that we can deal with it if the person applies for registration in the future.

What will happen if the referral isn't taken forward?

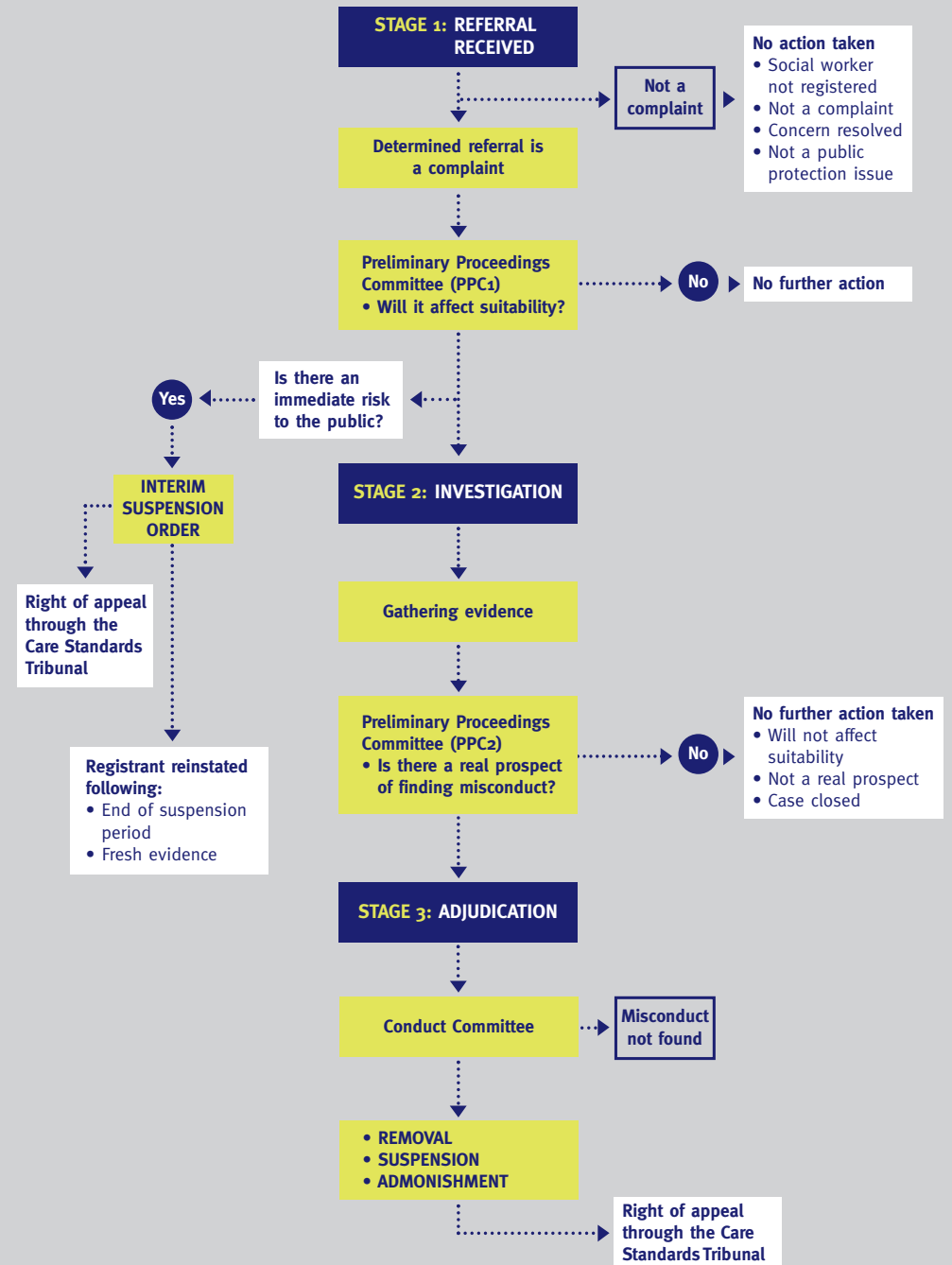
We will explain the reasons to you. We might ask you for some more detailed information or advise you to contact another organisation which might be able to help.

Human Rights Act and Data Protection

The GSCC will abide by the Human Rights Act 1998. In particular, we will always presume innocence before proof of misconduct and make sure that we deal with complaints as quickly and fairly as we can.

We follow the Data Protection Act 1998 and protect the confidentiality of information. You should be aware that by signing and submitting this or any information form to the GSCC, you are giving us permission to use this information to take forward our investigations and to give this information to other organisations where necessary.

The conduct process



Referral form

Providing information about a social worker or social work student

(If you are an employer, please contact us for an employer form).

1 Your details

We need this information about you in order to contact you to:

- Check we understand your concerns.
- Ask you for extra information.
- Recommend other organisations to contact.
- Keep you updated on the case.

Date:

First name:

Surname:

Address:

Postcode:

Home phone:

Other daytime phone number:

Fax:

Mobile phone:

Email:

How can we contact you if we need to check we understand your concerns? Please tick the method you prefer, and tell us the best time to contact you:

- | | |
|---|--|
| <input type="checkbox"/> Home phone | <input type="checkbox"/> Mobile phone |
| <input type="checkbox"/> Other daytime phone number | <input type="checkbox"/> Email |
| <input type="checkbox"/> Fax | <input type="checkbox"/> Letter to the above address |

Does the social worker or social work student you are concerned about provide a service to you?

Yes No

Do we need to make any special arrangements when we contact you?

Yes No

If yes what arrangements (e.g interpreter, signer)?

What is your involvement?

In order to understand your concerns, it would help us to have the following information about how you have become aware of, or involved in, the matter.

- I am the service user.
- I am a relative/friend/carer.
- I am a member of the public.
- I am another social care worker*/colleague.

If so, please specify:

Other please specify:

* "Another social care worker" would include voluntary work such as participating in a befriending scheme or acting as an independent visitor.

If the concern is on behalf of someone else who uses social care services, please give details of the service user:

Title (e.g Mr, Mrs, Ms:) _____

First name: _____

Surname: _____

Address (Please give full postal address): _____

Postcode: _____

Phone: _____

Email: _____

Do we need to make any special arrangements when we contact them?
Yes No

If yes what arrangements (e.g interpreter, signer)?

Does the service user know you are making this referral?
Yes No

Does the service user have any concerns about the referral being made?
Yes No

If yes, please explain those concerns:

The social worker or social work student that you are concerned about

Please identify the social worker or social work student you are concerned about. We can only take action against a social worker or social work student who is registered with the GSCC. To help identify the social worker or social work student involved as quickly as possible, please give the worker's or student's name, job title and employer. If there is more than one worker or social work student you wish to raise concerns about, please complete a separate form for each worker or student. If you don't have the information, just write in 'don't know'.

Full name of the social worker/student and job title:

Name of the organisation/agency they work for or used to work for if this is relevant:

Address of where the social worker/student works or attends college/university (if known):

Any other contact details you consider relevant (eg phone number):

5 Have you contacted anyone else about your concerns?

It is important that we know which other organisations you have told so we can check how the referral is being dealt with, and what stage it has reached.

Have you raised concerns with anyone else?
Yes No

If yes, please tell us who you contacted and any answer you had:

The social worker's/student's employer/college/university?

If so, with which employing organisation have you raised this with?

Please give the name of the person you contacted and the date:

The police?
If so, please let us know the police station, the date and the crime reference number, if known:

Another organisation?
If so, please let us know which one, and provide details such as the name of the person you spoke to or wrote to, and the date of your referral:

Anyone else?
If so, please provide details such as the name of the person you spoke, or wrote, to and the date:

6 Declaration

To the best of my knowledge the information I have provided above is complete and accurate.

I understand that in order to investigate my concern the General Social Care Council may need to share the details with the social worker or other workers concerned and to their employers and other relevant parties.

By signing and submitting this form, you agree to the use of the personal data, including sensitive personal data, in the ways described above, unless there are sound reasons you feel we should not share this information.

Please sign and date the form in the space provided.

Signed: _____

Print name: _____

Date: _____

Please send this form to:

**Conduct Referral Service
General Social Care Council
Goldings House
2 Hay's Lane
London SE1 2HB**

Email: conduct@gsccl.org.uk

Phone: 020 7397 5120

Fax: 020 7397 5121

Our commitment to you means we will:

- communicate with you using your preferred method;
- tell you we have received your complaint form within five working days; and
- be in touch with you to let you know what is happening within 28 days of telling you we have received your form.

Final note

Thank you for completing this form. You might find it helpful to keep a photocopy of this form and detach the guidance for reference.

You can order a copy of the codes from the GSCC and find out more about our work and the conduct process by visiting our website www.gsccl.org.uk, email info@gsccl.org.uk or calling 020 7397 5800.

General Social Care Council
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2 Hay's Lane
London SE1 2HB

Telephone: 020 7397 5100
Mini-com: 020 7397 5103
www.gsc.org.uk