



CYNGOR GOFAL CYMRU
CARE COUNCIL FOR WALES

Guidance for employers

Referring information of alleged misconduct by registered
social care workers to the Care Council for Wales



Noddir gan
Lywodraeth Cynulliad Cymru
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Your role in regulating the social care workforce

The Care Council for Wales

We were set up on 1 October 2001 under The Care Standards Act 2000. We regulate the social care workforce and set high standards in education and training of the social care workforce.

The Care Council for Wales Code of Practice for Employers of Social Care Workers

The Code of Practice for Employers of Social Care Workers sets out the responsibilities of employers in relation to regulating social care workers.

The purpose of workforce regulation is to:

- protect and promote the interests of service users and carers;
- strengthen and support the workforce; and
- help raise standards of practice.

The Code works alongside, rather than replaces, your policies. It forms part of the wider package of legislation, requirements and guidance that relate to employing staff.

The Code says that you must:

- inform the Care Council about any misconduct by registered social care workers that might call into question their registration;
- inform the worker involved that a report has been made to the Care Council; and
- co-operate with the Care Council's investigations and hearings and respond appropriately to the findings and decisions of the Care Council.

When referring information or a disciplinary case to us, please mention the specific area(s) in the Code of Practice which you think the registrant may not have met.

Letting us know about the conduct of a registered social care worker

You should let us know about a case relating to a registered social care worker in the following circumstances:

- When you dismiss a worker, whether or not they plan to appeal.
- When you become aware of any health condition that may contribute to or affect their ability to do their duties.

- When you are undertaking a disciplinary investigation.
- When you suspend a worker while waiting for the outcome of a disciplinary investigation.
- When you become aware of a criminal charge or conviction against the worker.
- In any other circumstances which you feel may affect the worker's registration (for example, if a registered worker's children have been made the subject of child-protection proceedings).

You should also contact us if any of these circumstances arise in relation to a student who is on a practice placement with you.

Before you send us the form you should let the registered social care worker concerned know that the matter will be referred to us.

It is your responsibility to decide whether members of your staff are suitable to continue working in particular jobs or in any posts within your organisation. Our responsibility is to decide whether the registered worker should stay on the register.

You should continue with your own investigations even if you have told us about an alleged misconduct. We may need copies of the case papers. We may wait until your procedure has ended before we continue with our investigation.

The outcome of your disciplinary process may form part of the evidence placed before a hearing, so it is important that you can provide full and accurate records of disciplinary decisions and the reasons for your decisions.

A Conduct Committee can only make a decision on the basis of evidence.

Our procedure when we receive information

When we receive information, we will check that the information relates to a registered social care worker and that it makes a specific allegation of misconduct against that worker.

When we have carried out an initial investigation, we may refer the case to a Preliminary Proceedings Committee to consider whether or not the information affects the worker's suitability to stay on the Register. If the Committee agrees that the information does question the suitability of the worker to stay on the register, we may refer the matter to a Conduct Committee or Health Committee hearing.

**If you need any more information or advice,
we will be happy to help you.**

Please contact:

Investigations Officer
Care Council for Wales
South Gate House
Wood Street
Cardiff.
CF10 1EW.

Phone: 0845 0700 248

Fax: 029 2078 0661

E-mail: conduct@ccwales.org.uk

Please remember to keep the guidance and a copy of the form.