**Dealing with Fitness to Practice (FTP) Concerns**

Head of Service – Quality Assurance

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# Scope of Policy

* 1. This practice guidance provides advice about how to deal with situations which may arise from the Fitness to Practice (FTP) process.
	2. It is not intended to replace to extensive guidance which already exists around managing staff performance; this can be found via the following link: [Individual Performance Management (sharepoint.com)](https://somersetcc.sharepoint.com/sites/HROD/SitePages/Managing-Performance.aspx)

# Purpose of Policy

* 1. To ensure that any FTP concerns submitted to Social Work England (SWE) are appropriate in their nature and that any issues which arise from SWE FTP judgements are understood and responded to by the service as a whole.

# Registering a FTP concern with SWE

* 1. Where there are concerns about the performance of a member of social work qualified staff, it may be necessary to refer the staff member to the social work regulatory body, Social Work England (SWE).
	2. A referral to SWE under the FTP process is intended to address serious concerns that:

• suggest members of public could be at risk of harm, or

• could damage public confidence in social workers if [SWE] did not take action.

A social worker’s fitness to practise could be impaired due to:

• misconduct

• lack of competence or capability

• a conviction or caution

• serious ill health

• a decision by another body that the social worker’s fitness to practise is impaired

• being barred from working with children or vulnerable adults

• not having the necessary knowledge of English

* 1. Full details of how to use the FTP can be found via the SWE website:

<https://www.socialworkengland.org.uk/concerns/>

* 1. A referral to SWE under this process is a serious matter which can have far reaching consequences on the children and families who we support, and on the career and livelihood of the staff member concerned.
	2. As such, it is right that the process within Somerset County Council Children’s Services for dealing with FTP referrals should be robust.
	3. Any FTP referral is likely to emerge as a result of the SCC Performance Management process (see above link). Where the performance management process raises concerns about the worker’s fitness to practice, then the manager should discuss a possible FTP referral with their line manager.
	4. For staff employed via an agency, it is unlikely to be appropriate to use the SCC Performance Management process. In most cases where the performance of a temporary member of staff falls below expected levels, it is likely that their contract would be terminated. In this case, the line manager should also consider whether the underperformance meets the SWE criteria for a FTP referral.
	5. If it is felt that a FTP referral should be made for any member of staff, this **must** be discussed and agreed with the relevant Head of Service (or Deputy Director in their absence) **prior to submission** to SWE.
	6. This will ensure that there is a high level of scrutiny of any concerns which are submitted to SWE for investigation.

# Responding to a FTP finding from SWE

* 1. Where a social worker has been referred to SWE due to a FTP concern, SWE will sometimes complete an investigation. If undertaken, the findings of the investigation will be shared with the local authority as the social worker’s employer.
	2. If it is found that the social worker’s fitness to practice is impaired, then SWE are likely to make recommendations as to what needs to happen to support the social worker to improve their practice to an acceptable level.
	3. SWE may also find that there are organisational issues which may have contributed to the FTP issue. These may relate to the policies, procedures or culture of the employer organisation.
	4. As a learning organisation, Somerset Children’s Services is committed to learning from feedback from within and from outside the organisation. Where feedback is received from SWE as part of FTP concerns or findings, this will be raised and discussed at meetings between Heads of Service and the Deputy Director.
	5. These discussions will decide how feedback needs to be disseminated throughout the wider organisation to ensure that lessons learned can be shared with relevant staff members. This may also include considering what changes need to be made to current practice, policy or training to address any perceived areas of deficit.