



Gofal Cymdeithasol **Cymru**
Social Care **Wales**

How we deal with concerns

Find out how we deal with concerns raised about registered persons and what to expect from us if a concern is raised.

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Go to <https://socialcare.wales/dealing-with-concerns/how-we-deal-with-concerns> for the latest version.

As part of our responsibility to make sure social care workers on the Register have the skills, knowledge and character to carry out their work safely and effectively, we will investigate concerns raised about registered persons.

What is a concern?

A concern is where there is doubt about whether a registered person is doing their work safely, effectively and in-line with [the Code of Professional Practice](#). This includes incidents which happen outside work. If you believe this may be the case, then you can let us know by [raising a concern](#).

What concerns might we investigate?

Examples of the types of concern we might investigate include:

Shortcomings in professional performance

- dishonesty or abuse of someone's trust
- failure to meet the expected standards
- committing fraud
- trying to cover up mistakes or obstructing an investigation
- not following policy and procedures.

Actions which put others at risk

- inappropriate relationship with someone who uses services
- exploiting a vulnerable person
- substance abuse
- violent or threatening behaviour
- a health problem the registered person hasn't told us about, which could threaten the safety of those they support.

Actions that could undermine public confidence in social care

- not respecting the rights of individuals who use care and support services
- behaviour that could harm others or undermine public confidence in the profession.

Concerns we can't investigate

We can't investigate concerns that are about:

- an organisation (instead, you should contact [Care Inspectorate Wales](#))
- something that happened more than five years ago, unless an investigation is in the public interest
- an organisation's disciplinary process: we can't discipline someone, get them dismissed or change the outcome of a disciplinary investigation
- disagreements with anything raised in court or a court decision
- a social care worker who isn't registered with us.

How to raise a concern

Anyone can raise a concern with us, as long as they provide us with the details we need to consider it further.

Concerns can be raised by [completing and submitting the online form](#).

- [If you are concerned that a vulnerable child or adult may be at risk of harm](#)
- [If you want to make a complaint about a registered care service](#)
- [If you want to make a complaint about social services involvement with your family](#)
- [If you want to make a protected disclosure about your employer](#)
- If you want to tell us about someone who is working as a social worker but who isn't qualified and not registered for this role

Employers who wish to raise a concern about an employee should read [employers who want to raise a concern about an employee](#).

The information provided will be processed in-line with data protection rules as part of the investigation. It may be shared with other agencies, including:

- the employer of the registered person
- [Care Inspectorate Wales \(CIW\)](#)
- the [Disclosure and Barring Service \(DBS\)](#)
- other regulatory bodies, inside or outside the UK
- the police
- the court, government departments or agencies acting on their behalf.

By submitting this form, you are giving permission for the information to be used as part of our legal responsibilities.

What happens after a concern is raised?

When a concern about a worker is raised with us, we'll look at whether it meets the risk threshold and is the type of issue we can investigate.

If it's something we can investigate, we'll let the registered person know about the allegations. They can carry on working unless we tell them otherwise.

If we decide a concern is a high risk to people using care and support, we'll either:

- ask for an order to suspend a registered worker, or
- set conditions for the registered person to meet, while we carry out our investigation.

We'll always assess risk and how it's being managed by employers or other services.

For example, if a registered worker is already serving a prison sentence, we would assess them as high risk. But the risk to users of care and support is managed by the prison service, so we may not ask for an interim suspension order.

We will update them every eight weeks until the investigation is complete and they are informed of the outcome.

When we've finished our investigation, we look at how to close the case. We can decide not to take further action, or we can use officer powers as sanctions. These include:

- warnings for a fixed period of time
- undertakings – an agreement between the registered worker and Social Care Wales to complete a specific task in a given time period
- removals by agreement – a request from the registered worker to be removed from the social care register, which we may consider depending on the nature and circumstances of the case

Warnings and undertakings will appear on the registered person's entry on [the social care register](#) until they expire.

Removals by agreement will appear in a separate section of [the Register](#) for a period of 2 years.

Other more serious concerns may be referred to a Fitness to Practise Panel. [Find out more about the outcomes of panel hearings.](#)

Please note: Universities will initially assess concerns raised about social work students. Should further action be required, we will investigate concerns raised about students in the same way as any other registered person.

[Investigation process – summary for persons registered with Social Care Wales](#)

PDF 241KB

Employers who want to raise a concern about an employee

Employers of social care workers have a duty to provide us with details of any concerns they might have about a registered person as soon as possible.

When to refer an employee to us

Employers play a key role in initially assessing and dealing with any allegation(s) about an employee's fitness to practise.

They should refer employees to us at the start of their processes if:

- the employee has been suspended or dismissed

- the employee has resigned or left before the disciplinary process is complete and the outcome would have been dismissal
- the employee is subject to a police or safeguarding investigation.

Otherwise, employers should let us know at the end of their process.

Employers should keep us informed while processes are ongoing, let us know when they are complete and provide us with relevant supporting evidence. If an employee leaves during the investigation, we encourage the employer to complete the disciplinary process including the hearing.

Employers who wish to make a referral can [raise a concern](#) online.

Examples of concerns that do not need to be referred to us

These include:

- employment matters where the only issues relate to annual leave, lateness or sickness absence
- where the issues are low-level or a letter of concern has been issued by the employer, but no disciplinary sanction has been given
- concerns which, after initial consideration, were not investigated further.

Misuse of social worker title

If employers think that a person is working or calling themselves a social worker, or they don't have the qualifications required or are not registered with us they should [raise a concern](#) immediately.

[Misuse of 'social worker' title](#)

DOCX 65KB

[Protection of Title Policy](#)

DOCX 352KB

Compromise agreements

When there's a duty to refer a worker to us, employers should still do so even if a compromise agreement has been signed. We don't need details about any monies paid but we do need to know the reasons for the compromise agreement.

When writing the agreement, employers should make it clear that any confidentiality clause doesn't apply to information passed to us.

Rules we use to investigate concerns

Rules set out how we might respond to an allegation that someone on the Register is unfit to practise. They show the options available to our fitness to practise team at the investigation stage and the process by which an allegation might be dealt with at officer level or referred to a fitness to practise panel. If your case is referred to us on or after 1 October 2022, you will need to look at the 2022 Rules.

[Investigation rules 2022](#)

DOCX 100KB

If you had a case referred to us between 1 April 2020 and 30 September 2022 inclusive, you will need to look at the 2020 Rules.

[Investigation Rules 2020](#)

PDF 266KB

If you had a case referred to us between 1 April 2018 and 31 March 2020 inclusive, you will need to look at the 2018 Rules.

[Investigation Rules 2018](#)

PDF 482KB

If you had a case referred to us between 1 April 2014 and 31 March 2017 inclusive, you will need to look at the 2017 Rules.

[Investigation Rules 2017](#)

DOCX 134KB

When a concern goes to a hearing

After the concern raised has been investigated, it may be referred to a hearing, which may result in a formal sanction.

For more information on this and what to expect at a hearing see [hearings](#).

Check to see if a registered person has a sanction against them by [searching the Register](#).

Contact us

If you have a question or if you can't find what you are looking for [get in touch with us](#).