

Office B118, The LINC Centre,

Institute of Technology Blanchardstown,

Blanchardstown Road North,

Dublin 15.

Dear CORU,

Social Care Ireland welcome the publication of the draft ‘Framework for a Code of Professional Conduct and Ethics’ by the Health and Social Care Professionals Council. It is evident that significant consideration and thought were given to development of these standards by the Council and Social Care Ireland would like to thank the Council for their time and effort.

After careful consideration of the draft Framework document, and after consultation with members, Social Care Ireland recommends the following amendments:

* Framework Code of Professional Conduct and Ethics draft, Conduct, Standard 4; Use social media responsibly – ‘You should: (a) 'as far as possible, avoid communicating with service users through social networking sites’
* **Social Care Ireland** recommend that this standard be amended to ‘***as far as possible, avoid communicating with service users through social networking sites unless in a professional capacity and as a therapeutic tool to provide support/ intervention for a service user’***

**Rationale:** Social Care Ireland, acknowledge the detrimental impact that the misuse of social networking sites have on service users, and appreciate efforts by CORU to guide Health and Social Care Professionals in their responsible use of social media. However, there is increasing research indicating the professional and therapeutic uses that social networking sites can offer to professionals. Social Care Ireland advise caution in use of social media, yet, do not wish to hinder innovative or creative interventions of social media by health and social care professionals, as a professional tool to engage with and support service users.

* Framework Code of Professional Conduct and Ethics draft, Conduct, Standard 5; Comply with obligations regarding registration (**e**) ‘include your CORU registration number in all certificates, reports or other formal documents for which you are responsible, and in any information that you publish about your practice or services’
* **Social Care Ireland** would request greater clarity as to the term formal documents. Does this include service user daily reports, sleepover reports, medication management etc.
* Framework Code of Professional Conduct and Ethics draft, Performance, Standard 6. Address health issues related to your fitness to practice (d) ‘follow your employer’s guidelines regarding personal health issues which could place service users or others at risk’.
* **Social Care Ireland** recommend this standard be amended to ‘follow employer’s guidelines that adhere to the ***current legislative requirements*** regarding personal health issues which could place service users or others at risk’.

**Rationale:** The phrasing supposes that all employers have guidelines regarding personal health issues and that if they exist are up to date and in line with current Health and Safety legislation. Moreover, it presupposes that employers’ guidelines or instructions are not in contravention with legislative or regulatory requirements. It is essential in those instances that registrant’s responsibilities are clear and consistent with legislation and best practice standards.

* Framework Code of Professional Conduct and Ethics draft, Performance, Standard 6. Address health issues related to your fitness to practice (e) ‘***inform CORU as soon as possible*** if your judgment or performance is or may be adversely affected by illness, addiction, emotional distress or medication’
* **Social Care Ireland** recommend this standard be amended to ‘if you have taken the steps outlined above, in standard 6, (a) – (d) and you want to voluntary remove yourself from the register inform CORU'

**Rationale:** Social Care Ireland would question the necessity of ***informing CORU, every time, about personal illness, circumstances or emotional distress,*** where all steps have been taken by the registrant, necessary for the safety of service user. Rather registrants’ should be encouraged to recognise times, when due to long term illness or personal circumstances, their practice is adversely affected. ***In those circumstances***, the registrant should be encouraged to remove themselves voluntary from the register, rather than feel compelled to disclose upsetting or distressful personal situations.

* Framework Code of Professional Conduct and Ethics draft, Performance, Standard 7. Obey laws, regulations and guidelines, (b) ‘obey the laws of the country in which you live and work in your professional and ***personal*** practice’
* **Social Care Ireland** would like more clarity on the term ***personal practice***

**Rationale:** Social Care Ireland accept that health and Social Care professionals have a right to a private life and what a person does in their personal life, is personal. Nonetheless, if it effects their professional life then they should be held accountable for their actions.

* Framework Code of Professional Conduct and Ethics draft, Performance, Standard 10, (a). ‘Keep your knowledge and skills up to date by engaging in relevant practice based activities to enable you to continue to provide a high standard of care’
  + **Social Care Ireland** recommend this standard be amended to ‘ keep your knowledge and skills up to date by engaging in relevant Continuing Professional Development to enable you to continue to provide a high standard of care’

**Rational**: Social Care Ireland contend that Social Care Workers engagement in Continuing Professional Development is a core principle that underpins professional practice. CPD must be recognised as essential for ensuring high standards of professional practice. The absence of explicit use of the term may therefore not communicate this appropriately and could be construed as not highlighting sufficiently the importance of CPD for safe and effective professional practice.

* Framework Code of Professional Conduct and Ethics draft, Performance, Standard 10, You Should (a) ‘keep a record of the activities you have completed’
* **Social Care Ireland** recommend this standard be amended to you must ‘keep a record of CPD activities you have completed’

**Rationale:** Social Care Ireland maintain that keeping a record of CPD engagement is good practice, encourages reflective practice and demonstrates a commitment to high standards of professional practice. Moreover, in certain instances, a record of engagement in CPD can bolster a defence against complaint of poor professional performance or misconduct.

* Framework Code of Professional Conduct and Ethics draft, Performance, Standard 12. Assess service users’ capacity to consent where necessary (c) ‘in carrying out an assessment of whether the service user has capacity, consider whether the service user’
* **Social Care Ireland** would recommend changing the word ‘in carrying out an assessment of whether the service user’ and replacing it with ‘in gauging whether the service user’ as not all Health and Social care professionals will be trained to make assessments.
* Framework Code of Professional Conduct and Ethics draft, Performance, Standard 12 (d) ‘assess service user capacity only by reference to the particular decision to be made at the particular time’ (e) ‘understand that the fact that a service user lacks capacity to make a particular decision does not mean that they lack capacity to make other decisions, or that they will lack capacity to make this or other decisions in the future’
* S**ocial Care Ireland** recommend combining Standard 12 (d) and (e) together and amended it to ‘ understand that a service user who may lack capacity to make a particular decision does not mean that they lack capacity to make other decisions, or that they will lack capacity to make this or other decisions in the future’
* Framework Code of Professional Conduct and Ethics draft, Performance, Standard 12 (g) ‘document the assessment process undertaken in establishing whether the service user has capacity to make the decision’
* **Social Care Ireland** would like more clarity on the ‘***assessment of capacity’***.

**Rationale:** Social Care Ireland understands that a Health and Social Care professional does not have, nor should they, the knowledge/ skills to undertake such an assessment. Rather their role is to determine whether or not there may be a question regarding a person’s capacity and to determine whether a referral is required to undertake a capacity assessment in consultation with a multidisciplinary team.

* Framework Code of Professional Conduct and Ethics draft, Performance, Standard 15. Assist and advise colleagues, recently qualified registrants and students (a) 'help and advise colleagues, recently qualified registrants and students in your profession to develop the professional skills, values, courtesies, attitudes and behaviour they will need when dealing with service users and staff'
* **Social Care Ireland** recommend this standard be amended to ‘ help and advise colleagues, recently qualified registrants and students in your profession to develop the professional skills, values, respect, attitudes and behaviour they will need when dealing with service users and staff'

**Rationale:** Social Care Ireland deems the word ‘Courtesies’ is not user friendly and that ‘Respect’ would be clearer.

* Framework Code of Professional Conduct and Ethics draft, Performance, Standard 18. Keep accurate records (a) ‘ keep clear and accurate and up-to-date records in line with the policies and procedures set out in your workplace’
* **Social Care Ireland** recommend this standard be amended to ‘Keep clear accurate and up to date records in line with the policies and procedures set out in your workplace or dictated by guidelines/ legislation’

**Rationale:** Social Care Ireland thinks the phrasing presupposes that all employers have guidelines regarding how to keep accurate and up to date records. Moreover, it presupposes that employers’ guidelines or instructions are in line with legislative or regulatory requirements. It is essential that registrant’s responsibilities are clear and consistent with legislation and best practice standards in the first instance.

* Framework Code of Professional Conduct and Ethics draft, Performance, Standard 19. Address health, safety and welfare risks (e) ‘where, ***following a risk assessment***, you perceive that a service user poses a risk to your safety, take appropriate measures to protect yourself and others and make reasonable efforts, if appropriate, to go ahead with the examination or treatment of the service user’
* **Social Care Ireland** recommend this standard be amended to ‘where, following your ***professional judgement*** of the situation, you perceive that a service user poses a risk to your safety, take appropriate measures to protect yourselves and others and make reasonable efforts, if appropriate, to go ahead with the intervention with the service users’

**Rational:** Social Care Ireland do not consider it appropriate to include the ***term risk assessment.***Using the term assessment tends to ***suggest a formal process***, often undertaken as part of a multidisciplinary team and, which is formalised in writing. Often volatile situations develop quickly requiring a Social Care Worker to make a professional judgement as to the risk posed***.***

Social Care Ireland welcome the opportunity to contribute to this consultation process, and would be happy to discuss the recommended amendments to the Framework Code of Professional Conduct and Ethics with CORU

Kind Regards,

Social Care Ireland Board of Directors