



Ag Rialáil Gairmithe Sláinte  
agus Cúraim Shóisialaigh

Regulating Health +  
Social Care Professionals

# Council Assessment Guidelines

for Employers in forming an opinion of  
competence under Section 91(2)(d)(iv) of the  
Health and Social Care Professionals Act  
2005 (as amended)



## Assessment Guidelines for Employers in forming an opinion of competence under Section 91(2) of the Health and Social Care Professionals Act 2005 (as amended)

Section 38 and Section 91(2) of the Health and Social Care Professionals Act 2005 (as amended), establish distinct requirements for registration in the register for social care workers.

- Section 38 of the Act relates to certain qualification requirements for registration. Further information on application to register under section 38 of the Health and Social Care Professionals Act 2005 (as amended) is available [here](#).
- Section 91(2) of the Act sets out requirements for registration in circumstances where an applicant has been practising the profession for a defined period prior to registration.

Section 91(2)(d) provides four different routes for entry to the Register by current practitioners of social care work:

- i. holding a Schedule 3 qualification; or
- ii. holding another sufficiently relevant qualification; or
- iii. completing an assessment of professional competence; or
- iv. written opinion of employer, on full inquiry, attesting to the applicant having achieved the required standard of proficiency.

A written opinion of an employer attesting to the applicant's competence in the practice of the profession is an additional route for current practitioners of social care work to apply to the register. **It is the decision of an employer, or former employer, on request by an applicant, to provide a written opinion to the applicant as to their competence in the practice of the social care worker profession.**

**An opinion is only valid in circumstances where the Employer has adhered to these assessment guidelines, and the opinion must only be given following full inquiry. Please note that any registration application made through Section**



**91(2) must be made before the transitional/grandparenting period closes on 30 November 2025.**

### **Section 91(2)(d)(iv) Application Requirements**

Applicants through this route must satisfy the following requirements:

- An applicant must have – during the five-year period up to **the date the registration application is made** – been engaged in the practice of the social care work profession in the Republic of Ireland, a Member State of the European Union and/or the United Kingdom;
- **On the date the applicant makes their Section 91(2)(d)(iv) application, they must be able to demonstrate 2-years engagement in practice of the profession in the five-year period immediately preceding the date of application;** and
- The applicant’s employer – or former employer – must provide a written opinion that the applicant is competent in the practice of the social care work profession. For an employer to be eligible to provide the certificate, the employer – or former employer – must have been the employer of the applicant for a minimum of six months in order to form, and make, an opinion of competence.
- The **employer must be competent to form an opinion** as to the applicant’s competence in practice of the profession, or in forming such an opinion, may rely on a third party to assess the applicant’s achievement of the standards of proficiency in the practice of the social care worker profession.

**If, in the opinion of the employer, an applicant is competent in the practice of the profession, and the employer has adhered to Council assessment guidelines in forming his/her opinion that the applicant has demonstrated all standards of proficiency as a social care worker, the employer should only then consider providing a certificate on behalf of an applicant.**



## What are the Standards of Proficiency for Social Care Workers?

**Standards of Proficiency** are the threshold standards set by the Registration Board for entry to the register. The standards of proficiency provide detail on the knowledge, skills, and professional attributes that all applicants must possess at entry to the register.

The Standards of Proficiency for Social Care Workers detail the knowledge and skills required for public protection under the following domains:

- Professional Autonomy and Accountability
- Communication, Collaborative Practice and Teamworking
- Safety and Quality
- Professional Development
- Professional Knowledge and Skills

## How to approach an assessment of competence, if requested

1. Must be in writing on the prescribed form which is attached to these guidelines.
2. In considering the competence of an applicant, the employer is required to assess the applicant standards of proficiency required to practice as a social care worker across all the domains listed above. These standards detail the knowledge and skills that an applicant must possess for entry to the social care workers register deemed necessary for public protection.
3. If an employer has formed the opinion that the applicant is competent in the practice of the profession of social care worker, he/she must complete a statutory declaration sworn under oath. The written opinion of the employer will be considered by the Social Care Workers Registration Board in determining an applicant's application for registration in the register of social care workers.



4. The employer must retain records of the assessment methodology and outcomes that informed the opinion of competence and be in a position to document the rationale or basis for providing the certificate.
5. An opinion is not valid unless the employer or former employer concerned has, in forming the opinion, adhered to assessment guidelines issued by the Council including on—
  - (a) an employer's competence to form an opinion, and
  - (b) the minimum duration of an employment relationship between the applicant and an employer required to form an opinion.

## Who can provide an opinion of competence?

### An employer

In forming an opinion, the employer should consider the most appropriate manner to assess the professional knowledge, skills, competencies and professional qualities of the applicant.

In forming an opinion an employer, should assess an applicant's professional knowledge, skills, competencies, and professional qualities detailed in the **Standards of Proficiency for Social Care Workers** through one or more assessment methodologies, such as:

- Direct observation of practice
- Structured interview with case examples
- Competency based written assessment
- Continuing Professional Development Portfolio

If an employer is unable to form a proper view on the competence of the applicant, the employer may rely on other individuals such as manager's/team leaders as appropriate, who are in a position to assess the applicant standards of proficiency in the profession, and provide the employer with a written report, and the relevant methodology and outcomes applied by that manager or team leader, prior to providing a written opinion of competence.



The Standards of Proficiency for Social Care Workers require that the applicant will:

### **Professional Autonomy and Accountability**

1. Be able to practise safely and effectively within the legal, ethical and practice boundaries of the profession.
2. Be able to identify the limits of their practice and know when to seek advice and additional expertise or refer to another professional.
3. Be able to act in the best interest of service users at all times with due regard to their will and preference.
4. Be aware of current guidelines and legislation relating to candour and disclosure.
5. Respect and uphold the rights, dignity and autonomy of every service user including their role in the diagnostic, therapeutic and social care process.
6. Be able to exercise a professional duty of care.
7. Understand what is required of them by the Registration Board and be familiar with the provisions of the current Code of Professional Conduct and Ethics for the profession issued by the Registration Board.
8. Recognise the importance of practising in a non-discriminatory, culturally sensitive way and acknowledge and respect the differences in beliefs and cultural practices of individuals or groups.
9. Understand the role of policies and systems to protect the health, safety, welfare, equality and dignity of service users, staff and volunteers.
10. Understand and respect the confidentiality of service users and use information only for the purpose for which it was given.
11. Understand confidentiality in the context of the team setting.
12. Understand and be able to apply the limits of the concept of confidentiality particularly in relation to child protection, vulnerable adults and elder abuse.
13. Be aware of current data protection, freedom of information and other legislation relevant to the profession and be able to access new and emerging legislation.
14. Be able to recognise and manage potential conflict that can arise between confidentiality and whistle-blowing.
15. Be able to gain informed consent to carry out assessments or provide interventions and document evidence that consent has been obtained.
16. Be aware of current legislation and guidelines related to informed consent for individuals with lack of capacity.



17. Recognise personal responsibility and professional accountability for one's actions and be able to justify professional decisions made.
18. Be able to take responsibility for managing one's own workload as appropriate.
19. Understand the principles of professional decision-making and be able to make informed decisions within the context of competing demands including those relating to ethical conflicts and available resources.
20. Be aware of and be able to take responsibility for one's own health and wellbeing.
21. Be able to maintain professional boundaries with service users within a variety of social care settings and be able to identify and manage associated challenges.
22. Be able to evaluate the effect of their own characteristics, values and practice on interactions with service users and be able to critically reflect on this to improve practice.
23. Be able to see the world as others see it; be able to practice in a non-judgemental manner and be able to understand another's feelings and be able to communicate that understanding.

### **Communication, Collaborative Practice and Teamworking**

1. Be able to communicate diagnosis/assessment and/or treatment/management options in a way that can be understood by the service user.
2. Be able to modify and adapt communication methods and styles, including verbal and non-verbal methods to suit the individual service users considering issues of language, culture, beliefs and health and/or social care needs.
3. Recognise service users as active participants in their own health and social care needs and be able to support service users in communicating their health and/or social care needs, choices and concerns.
4. Understand the need to empower service users to manage their well-being where possible and recognise the need to provide advice to the service user on self-treatment, where appropriate.
5. Be able to recognise when the services of a professional translator are required.
6. Be able to produce clear, concise, accurate and objective documentation.
7. Be able to apply digital literacy skills and communication technologies appropriate to the profession.



8. Be aware of and comply with local/national documentation standards including, for example, terminology, signature requirements.
9. Be able to express professional, informed and considered opinions to service users, health professionals and others e.g. carers, relatives in varied practice settings and contexts and within the boundaries of confidentiality.
10. Understand and be able to recognise the impact of effective leadership and management on practice.
11. Understand and be able to discuss the principles of effective conflict management.
12. Understand the need to work in partnership with service users, their relatives/carers (if appropriate) and other professionals in planning and evaluating goals and interventions, as part of care planning and be aware of the concepts of power and authority in relationships with service users.
13. Understand the need to build and sustain professional relationships as both an independent practitioner and collaboratively as a member of a team.
14. Understand the role and impact of effective interdisciplinary team working in meeting service user needs and be able to effectively contribute to decision-making within a team setting.
15. Understand the role of relationships with professional colleagues and other workers in service delivery and the need to create professional relationships based on mutual respect and trust.
16. Understand the principles and dynamics of group work in a range of settings and be aware of the role of different facilitation techniques to improve outcomes and enhance the participation of service users in care.
17. Be able to recognise all behaviour, including challenging behaviour, as a form of communication and demonstrate an understanding of the underlying causes in order to apply appropriate strategies.

### **Safety and Quality**

1. Be able to gather all appropriate background information relevant to the service user's health and social care needs.
2. Be able to justify the selection of and implement appropriate assessment techniques and be able to undertake and record a thorough, sensitive and detailed assessment.
3. Be able to determine the appropriate tests/assessments required and undertake/arrange these tests.





4. Be able to analyse and critically evaluate the information collected in the assessment process.
5. Be able to demonstrate sound logical reasoning and problem solving skills to determine appropriate problem lists, action plans and goals.
6. Be able to demonstrate an evidence-informed approach to professional decision-making, adapting practice to the needs of the service user and draw on appropriate knowledge and skills in order to make professional judgements.
7. Be able to prioritise and maintain the safety of both service users and those involved in their care.
8. Be able to evaluate intervention plans using appropriate tools and recognised performance/outcome measures along with service user responses to the interventions. Revise the plans as necessary and where appropriate, in conjunction with the service user.
9. Understand the need to monitor, evaluate and/or audit the quality of practice and be able to critically evaluate one's own practice against evidence-based standards and implement improvements based on the findings of these audits and reviews.
10. Be able to recognise important risk factors and implement risk management strategies; be able to make reasoned decision and/or provide guidance to others to initiate, continue, modify or cease interventions, techniques or courses of action and record decisions and concerns.
11. Understand the principles of quality assurance and quality improvement.
12. Be able to carry out and document a risk analysis and implement effective risk management controls and strategies; be able to clearly communicate any identified risk, adverse events or near misses in line with current legislation/guidelines.
13. Be able to comply with relevant and current health and safety legislation and guidelines and be able to access recommendations and findings of inquiries, investigations and associated reports relevant to social care.
14. Be able to establish safe environments for practice which minimises risks to service users, those threatening them and others, including the use of infection prevention and control strategies.
15. Be able to identify and document the unmet needs of individual service users and demonstrate an ability to select appropriate escalation route working with colleagues and the service user to resolve the gap in care.



## **Professional Development**

1. Be able to engage in and take responsibility for professional development.
2. Understand the need to demonstrate evidence of ongoing continuing professional development and education, be aware of professional regulation requirements and understand the benefits of continuing professional development to professional practice.
3. Be able to evaluate and reflect critically on own professional practice to identify learning and development needs; be able to select appropriate learning activities to achieve professional development goals and be able to integrate new knowledge and skills into professional practice.
4. Understand and recognise the impact of personal values and life experience on professional practice and be able to manage this impact appropriately.
5. Understand the importance of and be able to seek professional development, supervision, feedback and peer review opportunities in order to continuously improve practice.
6. Understand the importance of participation in performance management activities for effective service delivery.

## **Professional Knowledge and Skills**

1. Know, understand and apply key concepts of the domains of knowledge which are relevant to the profession.
2. Understand and be able to apply principles of social justice in one's work including being able to challenge negative discrimination and unjust policies and practices; demonstrate an understanding of cultural competence; and work towards social inclusion.
3. Understand and apply a human rights approach (HRBA) to one's work including the promotion of the service user's participation in their own care; ensure clear accountability; apply principles of non-discrimination; support other staff members to empower service users to realise their rights; be aware of the legality of actions within a service including the need to comply with any relevant legislative requirements including adhering to human rights obligations.
4. Demonstrate a critical understanding of relevant biological sciences, human development, social and behavioural sciences and other related sciences, together with a knowledge of health and wellbeing, disease, disorder and dysfunction relevant to the role of social care worker.



5. Know and understand the principles and applications of scientific enquiry, including the evaluation of intervention efficacy, the research process and evidence-informed professional practice.
6. Demonstrate skills in evidence-informed practice, including an understanding of competing theories, concepts and frameworks underpinning social care work and demonstrate an ability to apply the appropriate method in professional practice.
7. Demonstrate an understanding of the theories of individual and social development across the lifespan and contexts and within different cultures including the knowledge required to work with individuals, children, vulnerable adults, families and marginalised groups.
8. Understand the role and purpose of building and maintaining relationships as a tool in the delivery of social care across the lifespan in a variety of contexts.
9. Have a critical understanding of the dynamics of relationships between social care workers and service users and the concepts of transference and counter-transference.
10. Be able to identify, interpret, record and respond appropriately to patterns of behaviours displayed by service users in a variety of settings.
11. Be able to analyse activity and adapt environments to enhance participation and engagement in meaningful life experiences and positively influence the health, well-being and function of individuals, families, groups and communities in their everyday activities, roles and lives.
12. Demonstrate safe and effective implementation of a range of practical, technical and professional practice skills relating to the specific needs of the service user in a range of social care settings.
13. Be able to integrate self-awareness, communication, working in partnership and professional judgement into professional practice to meet the need of the service user and empower them to meet their full potential.
14. Be able to identify and understand the impact of social care history, organisational, community and societal structures, systems and culture on social care provision.
15. Recognise the role of advocacy in promoting the needs and interests of service users, and understand the influence of system-level change to improve outcomes, access to care, and delivery of services, particularly for marginalised groups.
16. Understand the role of, and be able to demonstrate skills in the use of creative and recreational interventions in social care work to meet the needs of the service user in a variety of contexts.



17. Demonstrate ability to participate in or lead clinical, academic or practice-based research.
18. Know the basic principles of effective teaching and learning, mentoring and supervision.
19. Demonstrate an understanding of the importance of one's own personal growth and development in order to engage in effective professional practice whilst developing the personal skills of self-care and self-awareness in the role.

**An employer must have regard to these assessment guidelines when providing an opinion of competence on behalf of an applicant to the Social Care Workers Registration Board.**

### Guidelines for Employers providing an opinion of competency

- An employer should satisfy himself or herself, that the applicant meets the standards of proficiency for social care workers.
- In forming an opinion of competency, an employer must take account of the required standards of proficiency for social care workers under the following domains of practice:
  1. Professional Autonomy and Accountability
  2. Communication, collaboration and team working
  3. Safety and Quality
  4. Professional Development
  5. Professional Knowledge and Skills
- In forming an opinion, the employer should be satisfied that the applicant demonstrates competence in all standards of proficiency in all domains of practice of the profession. An opinion is not valid unless the employer concerned has, in forming that opinion, taken account of these assessment guidelines.
- An employer should not provide an opinion unless he or she is satisfied, having regard to a minimum employment period of 6 months, that he/she is in a position to form a proper assessment of the applicant's competence in practice of the profession.



- An employer should not offer an opinion if he/she has a personal relationship and/or other conflict of interest due to a non-professional connection with the applicant. The employer should only provide an opinion of competence if they are satisfied they are in a position to provide an objective assessment of that person's competence.
- If an employer, is unable to form a proper view on the competence of the applicant, the employer may rely on other individuals such as managers/team leaders as appropriate, who are in a position to assess the applicant standards of proficiency in the profession, prior to providing a written opinion of competence.

Employers may wish to have regard to additional material which may be of assistance as a methodology for approaching an assessment or opinion of competency and the rationale and evidence type relied upon for so certifying. This illustrative material can be found [here](#). This supportive material has been adapted from the methodology used to assess students' achievement of standards of proficiency and gives a clear illustration of an approach which may be helpful.