

**Local Authority Circular LAC(86)15**

DEPARTMENT OF HEALTH AND SOCIAL SECURITY

To: *The Chief Executive*  
*County Councils*  
*Metropolitan District Councils*  
*London Borough Councils*  
*Council of the Isles of Scilly*  
*Common Council of the City of London*  
*Directors of Social Services*

*The Chief Executive*  
*Non-Metropolitan District Councils — for information*

24 November 1986

Dear Sir

**MENTAL HEALTH ACT 1983  
APPROVED SOCIAL WORKERS****SUMMARY**

This Circular contains revised directions from the Secretary of State, made under Section 114 of the above Act, on the appointment of approved social workers. It provides for the replacement of the transitional arrangements announced in Local Authority Circular (84)17 and should be read in conjunction with that Circular.

**Background**

1. The arrangements for appointing approved social workers under Section 114 of the Mental Health Act 1983 were originally announced in Local Authority Circular (83)7. That Circular contained directions from the Secretary of State to local social services authorities on the matters they should have regard to in approving social workers for appointment under the Act. Because of difficulties in appointing sufficient numbers of staff, transitional arrangements, in the form of modified directions from the Secretary of State, were announced in Local Authority Circular (84)17.

2. Discussions have continued between the parties involved and agreement has now been reached on arrangements to be introduced for making appointments for the foreseeable future. Because it will take time to implement them fully, the transitional arrangements will continue until 27 October 1988.

3. Social workers who have gained full approval under the provisions of paragraph 6(a) of Local Authority Circular (84)17 (including those previously approved under paragraph 4 of Local Authority Circular (83)7) can continue their existing appointments. Those staff in post who have been transitionally approved can be considered for appointment anew when their present appointment expires, on a transitional basis again, but no transitional appointments will continue beyond 27 October 1988. In order to convert from transitional

to full approval, some social workers are likely to need to receive additional training, in accordance with of the curriculum of training in paper 19.16 of the Central Council of Education and Training in Social Work (CCETSW). The nature of this additional training is currently being discussed between the local authority associations and CCETSW and will be notified to authorities in due course. Any social workers not having been previously approved by any authority and being considered for a first appointment after 31 October 1987 will need to have completed a full course of training approved by CCETSW.

4. The new arrangements provided for in this Circular are designed to ensure that all approved social workers receive appropriate and adequate training for the statutory duties they are required to perform. CCETSW will be responsible for approving training courses and for monitoring the standard of training provided by authorities—whether singly or in consortia: no costs will arise to authorities for this. Authorities themselves will be responsible for ensuring that only staff who have been properly trained and who are competent to perform statutory duties are appointed.

5. For convenience, the extant provisions of Local Authority Circulars (83)7 and (84)17 are included in this Circular.

#### **Revised directions on statutory approvals**

6. The directions contained in paragraph 6 of Local Authority Circular (84)17 are revoked and replaced by the directions set out in paragraph 7 below. Such revocation shall not affect the validity of approvals made in accordance with the terms of those earlier directions.

7. The Secretary of State directs that, in approving a person for appointment as an approved social worker under the Mental Health Act 1983 ("The Act"), local social service authorities shall have regard to the concern of Parliament that high standards should be set and maintained for this important work, and in particular to the following matters:—

- a. that approvals should only be given to those:
  - who hold the Certificate of Qualification in Social Work
  - or
  - a qualification recognised by the Central Council for Education and Training in Social Work (CCETSW) as equivalent
  - or
  - were warranted Mental Health Welfare Officers in post on 28 October 1982
  - or
  - gained substantial experience as a warranted Mental Welfare Officer during the period 1 January 1975 and 27 October 1982;
- b. the need to ensure that (except in the case of transitional approvals under (c) below):

- i. (s)he has completed training at a course approved for these purposes by CCETSW  
*or*  
(s)he has succeeded in an assessment organised by CCETSW in accordance with its rules up until 1 April 1987  
*or*  
s(he) has received appropriate training which commenced prior to 1 April 1987 in carrying out the duties of an approved social worker under the Act, *and*
- ii. (s)he has had appropriate experience and has shown an appropriate level of professional competence,
- iii. no approval should be for a period exceeding five years following which social workers may be re-approved;
- c. for a period until 27th October 1988, and only where there are not enough persons available for approval in accordance with (b) above to enable the Authority to carry out its statutory duties, approvals ("transitional approvals") given to other persons should be given with a view to appointing only those who:
  - i. are qualified as in (a) above, *and*
  - ii. have had at least two years experience as a social worker, *and*
  - iii. have *either* carried out the statutory duties of a Mental Welfare Officer, *or* have acted under the direct supervision of an approved social worker when the latter has been carrying out statutory duties under the Act, *and*
  - iv. have received appropriate training in carrying out the duties of an approved social worker under the Act.No transitional approval should be for a period extending beyond 27 October 1988.
- d. Social workers moving from one employing authority to another should be reconsidered by the new authority under the appropriate provisions for approval.

#### **Approval arrangements**

8. The Secretary of State has endorsed the view that statutory work should be planned and carried out as an integral part of the mental health services provided by the authority. He recommends, therefore, that social workers to be approved should be selected from amongst those engaged in the wide range of mental health work in their departments. Geographical and other characteristics affect the way in which social services departments organize mental health services and the number to be approved will be a matter for local decision. The comparatively small numbers of compulsory admissions to hospital and the importance of practice in developing expertise in this work suggests that these factors should be taken into consideration in deciding the numbers needed to provide an effective service; but in

judging the number needed full allowance should be made for the time that these trained and experienced mental health social workers need to spend on preventive work which avoids the need for compulsion (see paragraph 14 below). It will be for social services authorities to establish how many staff are needed to fit their local conditions—eg out of hours arrangements—and circumstances and offer training and approval to those who want to develop and use special expertise alongside a general professional interest in mental health.

9. The procedures for formal approval are matters for local decision. However, responsibility for the organisation and functioning of whatever machinery for approval and re-approval is decided upon should be held by a senior officer in the social services department. This officer should also be responsible for maintaining clear individual records of the training etc and approval of approved social workers.

10. Reapproval is not intended to replace normal consultative arrangements preceding a possible change of duties, nor is it intended to be a disciplinary measure.

11. Where an approved social worker moves from one authority to another the new authority should enquire of the old as to satisfactory performance of duties before approving the social worker for the purposes of the Mental Health Act 1983.

12. An employing authority has the right, after due consultation, to withdraw its approval from a social worker no longer required to carry out statutory duties. Where this is not done by mutual agreement the local authority's own internal procedures for dealing with such matters would apply.

### **Training**

13. The Secretary of State expects social services authorities to co-operate with their neighbours and CCETSW in order to share the use of educational resources and make available any facilities for the practical part of the training programmes to students from authorities other than their own. It may be convenient for groups of authorities to establish collaborative machinery involving representatives of social services authorities, health authorities, educational bodies and voluntary mental health organisations. Discussions are being held with the Local Authority Associations to identify the costs of training likely to arise as a result of the Circular. Additional provision has been made in the Rate Support Grant Settlement for 1987/88 for improved training in social services.

### **Role of approved social workers**

14. Approved social workers should have a wider role than reacting to requests for admission to hospital, making the necessary arrangements and ensuring compliance with the law. They should have the specialist knowledge and skills to make appropriate decisions in respect of both clients and their relatives and to gain the confidence of colleagues in the health service with whom they are

required to collaborate. They must be familiar with the day to day working of an integrated mental health service and be able to assess what other services may be required and know how to mobilize them. They should have access to, consultation with and supervision from qualified and experienced senior officers. Their role is to prevent the necessity for compulsory admission to hospital as well as to make application where they decide this is appropriate.

#### **Co-operation with other services**

15. The Secretary of State hopes that social services authorities will make arrangements for the approval and deployment of social workers to ensure the best possible service to mentally ill persons and their families, particularly at a time of crisis. It is important that personal social services should be developed in co-ordination with health services, in particular, and with other services and voluntary organisations which may be required to assist families in need.

#### **General**

16. Appointments of approved social workers should be kept regularly under review. Adequate arrangements should be made for "refresher" training on a continuing basis. CCETSW will promote "refresher" courses, reference to which will be made in regulations and guidance issued by that body. Authorities should give priority in "refresher" training to those approved social workers who have not completed a course of training approved by CCETSW under the terms of this Circular or who have not succeeded in an assessment organised in relation to the Act by CCETSW before 1 April 1987.

#### **Cancellation of previous circulars**

17. This Circular replaces Local Authority Circulars (83)7 and (84)17, both of which are cancelled.

#### **Action**

18. Social services authorities should reconsider their arrangements for appointing approved social workers under the Mental Health Act 1983 in accordance with the revised directions from the Secretary of State contained in this circular.

Yours faithfully

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