

Inspection Report

Inspection ID	NUNR1_BCP332
Course provider	Northumbria University at Newcastle
Validating body (if different)	
Course inspected	Law and Practice for Best Interest Assessors
Mode of study	Full time
Maximum student cohort	30
Date of inspection	4-5 November 2025
Inspection team	Kate Springett (Education Quality Assurance Officer) Brad Allan (Lay Inspector) Carolyn Deacon (BIA registrant Inspector)
Inspector recommendation	Approved with conditions
Regulator decision:	Approved with conditions
Date of Regulator decision:	02 March 2026
Link to conditions table	Conditions
Date conditions met and approved:	24 June 2026

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Annex 1: What We Do **Error! Bookmark not defined.**

Introduction

1. Social Work England completes inspections as part of our statutory requirement to approve and monitor courses. Inspections form part of our process to make sure that courses meet our education and training approval standards for Best Interests Assessor (BIA) courses. We approve courses against these standards to ensure that students who successfully complete a BIA course can meet the requirements set out in the Mental Capacity Act 2005, Schedule A1 and 1A, the Mental Capacity (Deprivation of Liberty: Standard Authorisations, Assessments and Ordinary Residence) Regulations 2008 and the 6 BIA capabilities as described in Annex 1 to the education and training approval standards for Best Interests Assessor (BIA) courses.
2. During the approval process, we appoint partner inspectors. This will include a registered inspector who will be a qualified BIA, and a lay inspector who is not BIA qualified.
3. These inspectors, along with an officer from the education quality assurance team, undertake activity to review documentary information and evidence, and carry out an inspection. This activity could include observing and asking questions about teaching, observations, facilities and learning resources; asking questions based on the evidence submitted; and meeting with staff, people with lived experience and students. The inspectors then make recommendations to us about whether a course should be approved.
4. The process we undertake is described in our legislation: The Children and Social Work Act 2017, [The Social Workers Regulations 2018 - Social Work England](#) , and our [Education and Training Rules 2019](#).
5. In this document we describe Northumbria University at Newcastle as ‘the course provider’ and we describe Law and Practice for Best Interest Assessors as ‘the course’.

Summary of Inspection

6. Northumbria University at Newcastle and the Law and Practice for Best Interest Assessors course was inspected as part of Social Work England’s reapproval cycle, whereby all course providers with BIA courses will be inspected against the new education and training approval standards for BIA courses.
7. A remote inspection took place from 4 – 5 November 2025.
8. As part of this process the inspection team gathered feedback from key stakeholders through meetings on inspection. This included employers, students and the chief executive of ‘Your Voice Counts’ (YVC) which is a group of people with lived experience of social work (PWLE).

Inspection Findings

9. In this section we set out the inspectors' findings in relation to whether the course meets the education and training approval standards for BIA courses. We describe the inspection team in this section as 'we'.

Standard 1. Admissions	Met or not met.
1.1 Confirm that applicants have: i. the potential to develop the knowledge and skills necessary to meet the 6 BIA capabilities set out in Annex 1 of these standards. ii. the potential to meet the eligibility criteria for the role set out in the relevant legislation governing BIA practice. iii. the capability to use information and communication technology (ICT) methods and techniques to achieve course outcomes.	<u>Met</u>
1.2 Confirm that applicants are and remain fully registered with a relevant regulatory body in line with the relevant regulations.	<u>Met</u>
1.3 Confirm that applicants have, and can demonstrate, suitable prior experience of the practical application of appropriate legislation and policy, specifically including but not limited to mental capacity, mental health and human rights legislation, and demonstrable experience of understanding risk in relation to these.	<u>Met</u>
1.4 Confirm that applicants have a robust level of legal literacy in appropriate legislative and policy areas.	<u>Met</u>
1.5 Ensure that employers, providers of observation opportunities, people with lived experience, and carers are involved in admissions processes.	<u>Met</u>
1.6 Ensure that the admissions processes include assessment of the suitability of applicants, including in relation to their conduct, health and character. This includes appropriate criminal conviction checks.	<u>Met</u>
1.7 Ensure that there are equality, diversity and inclusion policies in relation to applicants and that they are implemented and monitored.	<u>Met</u>
1.8 Ensure that the admissions process gives applicants the information they require to make an informed choice about whether to take up a place. This will include information about the award level and professional qualification, course content, teaching modes, location of study, assessment methods, duration, and observation requirements including the expectations around arranging or securing observation opportunities.	<u>Met</u>

Key observations for standard 1

10. We were satisfied that there was a comprehensive admissions process which ensured all applicants were suitable for the course. (1.1)

11. The course provider ensured the applicants were registered and that applicants had the appropriate knowledge, experience, legal literacy, qualifications, and the ability to develop the knowledge and skills to successfully complete the course and practice as a BIA. (1.1, 1.2, 1.4)

12. We agreed that the personal statement and recognition of prior learning considered by the course provider as part of the admissions process was enough to satisfy the above-mentioned requirements.

13. We heard about how applicants' prior experience was considered and as part of the additional evidence submission the inspectors learned that students knew from the course handbook that they had to inform the course provider, should their registration lapse for any reason. (1.3)

14. In relation to employers' involvement in the admissions process, they informed us that for sponsored applicants they were involved through interview and selection. (1.5)

15. Whilst we were not able to meet with PWLE, they met with the chief executive of the PWLE group who were an external group named 'Your Voice Counts' (YVC). The chief executive was able to confirm the involvement of the group which we were satisfied with. In relation to PWLE involvement in admission. The chief executive of YVC reported that PWLE reviewed personal statements in the admissions process. While there was involvement of PWLE, we are recommending the course provider also include carers in the admissions process. (1.5)

16. The course provider had a robust process in place to assess the suitability of applicants in relation to their conduct, health and character. Offers were subject to DBS clearance. There was also evidence of ongoing checks in relation to fitness to practice and study, and information was provided to students which demonstrated they knew to inform the course provider if anything changed in relation to the same. (1.6)

17. In relation to equality, diversity and inclusion (EDI), there was evidence policies were in place and there was a strategy whereby data was gathered and analysed. In addition to this, students were encouraged to disclose any additional needs at application stage so reasonable adjustments could be considered. (1.7)

18. As part of the evidence submission the course handbook and an application information document was provided which were shared with all applicants prior to enrolment. These documents included but were not limited to; information on funding, modules, learning outcomes, provisional timetable, the role of the regulator and BIA employment pathways, and observation opportunities. (1.8)

19. We met with students and employers who both reported feeling that adequate information was provided as part of the application process to allow applicants to make an informed choice about whether to take up an offer of the place on the course. (1.8)	
Standard 2. Course governance, management and quality.	<u>Met or not met</u>
2.1 Ensure courses are supported by a management and governance plan that includes the roles, responsibilities and lines of accountability of individuals and governing groups in the delivering, resourcing and managing the quality of the course.	<u>Met</u>
2.2 Ensure that effective monitoring, evaluation and improvement systems are in place, and that these involve employers, people with relevant lived experience including carers, and students.	<u>Met</u>
2.3 Ensure that admissions are aligned to a clear strategy, which includes consideration of: i. wherever appropriate, local and regional capacity for observation opportunities; and ii. the availability of part-time or other flexible course arrangements to widen access wherever possible.	<u>Met</u>
2.4 Ensure that the person with overall professional responsibility for the course is a relevant qualified professional (social worker, occupational therapist, psychologist or nurse) with appropriate experience of BIA practice.	<u>Met</u>
2.5 Ensure that there is adequate provision of appropriately qualified and experienced staff.	<u>Met</u>
2.6 Ensure that educators are supported to maintain their knowledge and understanding in relation to mental capacity, mental health and human rights legislation and policy, including recent developments, and the practical application of this via the Deprivation of Liberty Safeguards, including giving support to undertake continuing professional development relevant to their role.	<u>Met</u>
2.7 Ensure that students have the opportunity to provide feedback about the course and that this feedback is analysed, shared with employers and others involved in commissioning places on the course, and used to inform the management and development of the course.	<u>Met</u>

Key observations for standard 2.

21. During the inspection we explored whether the course was supported by a governance plan which had adequate staffing to ensure the course delivered was of quality. The course was led by a qualified BIA who was also registered with Social Work England. (2.1, 2.4)

21. We were satisfied that there was adequate provision of appropriately qualified and experienced staff on the course and felt the course staff were supported to maintain their knowledge and understanding in relation to mental capacity, mental health and human rights legislation and policy. (2.5, 2.6)

22. The course provider submitted their school governance structure as well as minutes from their working group which clarified the management structure. Narrative also explained the module responsibilities of those associated with course and the CV of the subject area lead. (2.1)

23. We saw evidence of stakeholder involvement in monitoring, evaluation and improvement of the course which showed a course level process involving employer partners, PWLE, and students. We were told that there was a BIA working group which was a forum that included relevant stakeholders and involved monitoring, evaluation and course improvement activities. (2.2)

24. Module evaluations were used to gather student feedback and examples of changed based on feedback were provided by the course team during the inspection. (2.7)

25. We were satisfied that there was a strategy in place in relation to student numbers. The course team explained that should there be a high demand for the course they would consider if they were appropriately staffed and this would include consideration of an additional academic to teach on the course, as well as looking at logistics such as using bigger rooms. (2.3)

26. We saw, and heard that all students were responsible for arranging their own observations and obtaining consent from the relevant supervisory body. (2.3)

Standard 3. Observation opportunities.

Met or not met

3.1 Ensure that each student has the opportunity to undertake a minimum of 2 practice observation opportunities which:

i. enables the student to shadow a BIA or community DoLS assessment.

Met

ii. provide practice experience that can be applied to a variety of settings and types of supervisory body. iii. enables the student to observe a suitably qualified and experienced relevant qualified professional who has relevant and current knowledge, skills and experience to demonstrate safe and effective practice. iv. enables the student to produce a detailed analysis of relevant practice issues which forms part of the student's overall assessment.	
3.2 Ensure that the number, duration and range of observation opportunities is appropriate to support the delivery of the course and the achievement of the learning outcomes.	<u>Met</u>
3.3 Maintain clear collaborative arrangements for planning and communication with providers including a thorough and effective system for approving and monitoring all observation opportunities.	<u>Met</u>
<u>Key observations for standard 3.</u> 27. The course provider required students to complete a practice learning agreement which enabled them to meet individual learning needs and complete activities necessary to demonstrate the BIA Capabilities. (3.2) 28. There was a requirement for students to undertake a minimum of 2 contrasting observations, specifically in the field of deprivation of liberty and undertaken by practising BIAs. The course provider put the responsibility of the applicant/student to arrange their own observation opportunities, but there was an option for the first one to be completed prior to starting the course. (3.1) 29. Students were required to apply their learning in their assessments which were comprised of a 4000-word critical reflection, and a practice learning portfolio. (3.1) 30. In relation to there being arrangements for planning and communication with observation providers, there were plans in place for the delivery of workshops to the BIA practice assessors to ensure consistency and support in the assessment process. (3.3)	
<u>Standard 4. Curriculum and assessment</u>	<u>Met or not met</u>
4.1 Ensure that the content, structure and delivery of the training is in accordance with relevant guidance and frameworks and is designed to enable students to demonstrate that they have the necessary knowledge and skills to meet the requirements of the role as set out in the 6 BIA capabilities set out at Annex 1, as	<u>Met</u>

well as a sound understanding of cross-national border issues in relation to practice in Wales, where this is appropriate.	
4.2 Ensure that the views of employers, practitioners, people with lived experience of social work and carers are incorporated into the design, ongoing development and review of the curriculum.	<u>Met</u>
4.3 Ensure that the course is designed in accordance with equality, diversity and inclusion principles, and, human rights and legislative frameworks.	<u>Met</u>
4.4 Ensure that the course is continually updated as a result of developments in research, legislation, government policy, best practice, and case law.	<u>Met</u>
4.5 Ensure that the integration of policy, legal literacy and practice is central to the course.	<u>Met</u>
4.6 Ensure that the number of hours spent in structured academic learning under the direction of an educator is sufficient to ensure that students meet the required level of competence.	<u>Met</u>
4.7 Provide staff involved in leading and delivering the training with sufficient protected training time to keep their own practice and knowledge up to date in line with statutory and regulatory requirements.	<u>Met</u>
4.8 Ensure that assessments are robust, fair, reliable and valid, and that those who successfully complete the course have developed the knowledge and skills necessary to make robust, independent and well-evidenced assessments in the best interests of the person. This should include regular monitoring and evaluation of assessment standards to ensure that they remain robust and reliable.	<u>Met</u>
4.9 Ensure students are provided with feedback throughout the course to support their ongoing development.	<u>Met</u>
4.10 Ensure that the course is designed to enable students to develop an evidence-informed approach to assessment and evaluation, underpinned by skills, knowledge and an ability to interpret and respond appropriately to legislative and policy change and case law.	<u>Met</u>
4.11 Ensure that the course equips students with knowledge and skills in relation to identifying and anticipating areas of conflict arising from DoLS processes and outcomes, and supporting individuals, families, carers and agencies to understand the checks and balances of the DoLS system, to support a robust,	<u>Met</u>

independent and well-evidenced determination in the best interests of the person.	
4.12 Clearly specify requirements for student progression and achievement within the course.	<u>Met</u>
4.13 Clearly specify that any equivalent award which may be made will not lead to eligibility to be approved as a BIA.	<u>Met</u>
4.14 Clearly specify a process for the appointment of at least 1 external examiner who must be an appropriately experienced and relevant qualified professional.	<u>Met</u>

Key observations for standard 4.

31. The course provider explained in their evidence submission that there is no equivalent award in relation to the BIA module. (4.13)

32. We felt that the course enabled students to develop the necessary knowledge and skills to practise as a BIA and it was felt the course embedded ethics and values. As part of the evidence submission, the course provider submitted a document which evidenced how the course was mapped to the Mental Capacity Act 2005, the DoLS framework and the 6 BIA capabilities. (4.1)

33. There was a BIA working group which consisted of employers, PWLE, and academics. Minutes of a recent meeting were provided and detailed conversations around the ongoing development of the course. We were satisfied that the views of employers/practitioners were well established through the minutes provided. (4.2)

34. We met with the chief executive of 'your voice counts' (PWLE) during the inspection and heard there were 3 members' involved in the course, who felt their contribution was valued. (4.2)

35. In relation to supporting students with reasonable adjustments, as mentioned earlier, the course provider had EDI policies in place. We heard examples of reasonable adjustments being made by the course provider which provided assurance that the supportive policies worked in practice. (4.3)

36. The course provider submitted narrative as part of the evidence submission which stated in the previous iteration of the course, content was updated on the day of teaching if necessary, following up to date court judgements. We were therefore assured that the course provider took steps (and would continue to do so) to ensure the course content remained current. (4.4)

37. It was felt there was a lot of institutional knowledge from those involved with the course and the course team were experts in their field. We saw evidence that the integration of policy, legal literacy and practice was central to the course, and this was shown in the module specification and draft outline of the curriculum. This was triangulated with students who provided positive feedback in relation to the same. In addition to this, the course teaching team confirmed they had protected

time to keep their own knowledge and practice up to date and they use this time for research. (4.5, 4.7)

38. We were satisfied that the course provider had considered the number of hours spent in structured academic learning, and this was adequate based on documentary evidence. There had been an increase in the number of hours as changes were made to the course, and we agreed this was appropriate. (4.6)

39. In relation to assessments, there was a 4000-word essay assessment, and a portfolio. There was evidence that assessments were aligned to the learning outcomes and the BIA working group covered the design, monitoring and evaluation of these. Despite the BIA working group covering the above, there was however some concern over how PWLE would be involved in monitoring and evaluating assessments, should they not attend the BIA working group. We therefore recommends that there are contingencies contingencies in place to ensure involvement of people with lived experience in monitoring and evaluating assessments, ensuring they are robust, fair, reliable and valid. (4.8)

40. We were assured that assessments were appropriate and demonstrated how they ensured students developed the knowledge and skills necessary to make robust, independent and well-evidenced assessments in the best interests of the person. (4.8)

41. Evidence demonstrated the course was designed to enable students to develop an evidence-informed approach to assessment and evaluation, underpinned by skills, knowledge and an ability to interpret and respond appropriately to legislative and policy change and case law. We heard from alumni that they were able to put theory into practice, and the course team acknowledged there were often changes in legislation and case law, and they ensured the course was kept up to date. (4.10)

42. We agreed that the course equipped students in relation to conflict arising from DoLS processes and outcomes, and this was supported by evidence in the module specification and the curriculum. We saw examples of 2 case studies which formed part of the course and included but were not limited to; highlighting family tensions, considering individual wishes and beliefs, and balancing risk. (4.11)

43. The module handbook made it clear to students that they had to pass both assessments to pass the module overall. Additionally, when we met with students they reported there was a clear process for requesting extensions. (4.12)

44. The evidence submission demonstrated that students were provided with feedback throughout the course to support their ongoing development. Feedback was provided during teaching sessions, following practice learning and on summative assessments. (4.9)

45. We were satisfied that there was a process in place for recruiting an EE (external examiner) and the EE in post was registered with Social Work England. (4.14)

<u>Standard 5. Supporting students.</u>	<u>Met or not met</u>
5.1 Ensure that students have access to resources to support their health and wellbeing including confidential counselling services. The course must also equip students to understand the potential impact of BIA practice on their own emotional and mental wellbeing, and the importance of identifying ways to handle this impact.	<u>Met</u>
5.2 Ensure that students have access to a system of academic and pastoral support for their progression, development and welfare.	<u>Met</u>
5.3 Ensure that there is a thorough and effective process for ensuring the ongoing suitability of students' conduct, character and health.	<u>Met</u>
5.4 Make reasonable adjustments for students with health conditions or impairments to enable them to progress through their course and meet the specialist, capabilities in accordance with relevant legislation.	<u>Met</u>
5.5 Provide timely information to students about their curriculum, observation requirements, assessments, and implications for their continuing practice, including arrangements for annotation of the register and requirements for periodic refresher training.	<u>Met</u>
5.6 Ensure that students are able to draw links between the completion of their BIA course and ongoing refresher training, and the ongoing requirements of their professional registration such as continuing professional development.	<u>Met</u>
5.7 Provide timely and meaningful feedback to students on their progression and performance in assessments.	<u>Met</u>
5.8 Ensure there is an effective process in place for students to make academic appeals.	<u>Met</u>

5.9 Ensure that policies and processes, including for whistleblowing, are in place for students to challenge unsafe behaviours and cultures and organisational wrongdoing, and report concerns openly and safely without fear of adverse consequences.	<u>Not met</u> See key observations for standard 5 for further information
<u>Key observations for standard 5.</u> 46. The course provider submitted evidence which demonstrated they had a range of support services available to students. These services included student wellbeing workshops and confidential counselling. (5.1) 47. Students reported feeling that there were lots of case scenarios as part of the course which helped prepare them for the emotional impact of being a BIA. (5.1) 48. We identified that whilst students felt emotionally prepared, there was no reference to emotional labour in the curriculum. We recommended that the course provider considers further opportunities to equip students to understand the potential impact of BIA practice on their own emotional and mental wellbeing, and the importance of identifying ways to handle this impact. (5.1) 49. In relation to academic and pastoral support, the course provider allocated a personal academic tutor to each student for support. In addition to the personal tutor there were also wider university support systems available as mentioned above. (5.2) 50. Both the course team, and students were able to provide us with examples of support whether this be for soft skills or providing reasonable adjustments. (5.4) 51. Evidence provided demonstrated there were processes in place for ensuring students' ongoing suitability. Students were subject to an enhanced DBS, and it was made clear to students in the 'handbook of student regulation' that students must tell the course provider should anything change in relation to their conduct/character. In addition to this, the handbook demonstrates health issues could be subject to fitness to practice proceedings. (5.3) 52. As mentioned in standard area 1, there was also evidence of ongoing checks in relation to fitness to practice and study, and information was provided to students which demonstrated they knew to inform the course provider if anything changed in relation to the same. (5.3) 53. Between the module handbook, virtual learning environment, curriculum outline and the module induction, students were provided with information on; the curriculum, observation requirements, assessments, and implications for their continuing practice, including arrangements for annotation of the register and requirements for periodic (annual) refresher training. (5.5, 5.6)	

54. The course provider had a policy which set a 20-working day turnaround from submission to releasing marks and feedback to students. There was also an appeals policy in place, which was accessible via the 'handbook of student regulations'. (5.7, 5.8)

55. When asked about assignment feedback, students were complimentary. They also provided good feedback on the ability to request extensions. One student shared they felt supported when needing to resubmit following failure of an assessment. (5.7)

56. In relation to whistleblowing policies, narrative submitted explained that the university's whistleblowing policy did not apply for the BIA course, as students undertook practice learning as part of their substantive roles, where the specific employer's whistleblowing policy applied. (5.9)

57. It became apparent to us that there was not a process in place whereby the course provider checked the local authority had the appropriate policies in place. We determined that as the standard requires the course provider to ensure 'policies and processes, including for whistleblowing, are in place for students to challenge unsafe behaviours and cultures and organisational wrongdoing, and report concerns openly and safely without fear of adverse consequences' the standard was not met, and a condition was applied.

Proposed outcome

58. The inspection team recommend that the course be approved with conditions. These will be monitored for completion.

Conditions

59. Conditions for approval are set if there are areas of a course that do not currently meet our standards. Conditions must be met by the course provider within the agreed timescales.

60. Having considered whether approval with conditions or a refusal of approval was an appropriate course of action, the inspection team are proposing the following conditions for this course at this time.

	Standard not currently met	Condition	Date for submission of evidence	Link
1	5.9	The course provider must ensure that policies and	02 June 2026	5.9

		processes including for whistleblowing are in place when students are in a practice learning setting.		
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61. As conditions have been attached to the approval, Northumbria Newcastle University must provide evidence of meeting these conditions as outlined in the report and in the timescales agreed. Failure to do so may result in approval being withdrawn.

Recommendations

62. In addition to the conditions above, the inspectors identified the following recommendations for the course provider. These recommendations highlight areas that the course provider may wish to consider. The recommendations do not affect any decision relating to course approval.

	Standard	Detail	Link
1	1.5	The inspectors are recommending that the course provider consider involvement of carers in the admissions process.	1.5
2	4.8	The inspectors are recommending that the course provider consider putting contingencies in place to ensure involvement of people with lived experience in monitoring and evaluating assessments, ensuring they are robust, fair, reliable and valid	4.8
3	5.1	The inspectors are recommending that the course provider consider further opportunities to equip students to understand the potential impact of BIA practice on their own emotional and mental wellbeing, and the importance of identifying ways to handle this impact	5.1

Meeting of Conditions

63. If conditions are applied to a course approval, Social Work England completes a conditions review to make sure course providers have complied with the conditions and are meeting all of the BIA standards [insert link to these]

64. Inspectors will undertake the conditions review and make recommendations to Social Work England's decision maker.

65. This section of the report will be completed when the conditions review is completed.

	Standard not met	Condition	Inspector recommendation
1	5.9	The course provider must ensure that policies and processes including for whistleblowing are in place when students are in a practice learning setting.	Condition met

Findings

66. This conditions review was undertaken as a result of conditions set during course approval, as outlined in the original inspection report above.

67. With respect to the conditions set against standard 5.9 the course provider has adapted their processes to ensure that the practice learning setting whistleblowing policy and process is provided and explained to students, and this forms part of the practice learning agreement.

68. The inspectors recommend that the condition set against standard 5.9 is met.

Regulator decision

69. Condition met.