

Information for Shropshire Telford and Wrekin CQC regulated service providers regarding the provision of The Oliver McGowan Mandatory Training on Learning Disability and Autism

Date: July 2023

Dear colleague,

please use the information within this document in response to a CQC visit taking place ahead of the full local availability of the Oliver McGowan Mandatory Training on Learning Disability and Autism.

This document provides the context to the training and an explanation as to why service providers registered with the CQC may not meet the full requirement for their staff to receive training on learning disability and autism appropriate to their role at the present time.

What is the legal requirement for this training?

[Section 181 of the Health and Care Act 2022](#) introduced a requirement into the [Health and Social Care Act 2008](#) and [regulation 18 of the Health and Social Care Act 2008 \(Regulated Activities\) Regulations 2014](#) that, from 1 July 2022, service providers registered with the CQC must ensure their staff receive training on learning disability and autism appropriate to their role.

The Code of Practice

As set out in the Health and Care Act 2022, the government is also required to publish a Code of Practice. The purpose of the Code is to explain what is meant by training that is 'appropriate to the person's role' and to provide guidance on how to ensure all staff receive such training.

On 27th June 2023, the government launched a consultation on the Oliver McGowan draft Code of Practice on statutory learning disability and autism training. The public consultation on the draft Code will run for 12 weeks. Following this, the government will consider all consultation responses to inform any final changes to the draft Code of Practice.

The draft Code can be viewed here: [Oliver McGowan draft code of practice - GOV.UK \(www.gov.uk\)](#)

[Annex C](#) of the draft Code sets out the consultation questions for consideration and provides the opportunity to share your views on the draft Code.

It is anticipated the Code of Practice will be published towards the end of the year.

What will the CQC assessment involve?

The CQC is responsible for assessing compliance with the registration requirements set out in the 2014 Regulations. The CQC will consider the Code and how registered providers are doing what it says. It will do this in a way which considers

the risk of inappropriate care or treatment (in all its forms) of, and the improper interaction with, people with a learning disability and autistic people.

All registered providers will need to ensure that staff receive training appropriate to their role to comply with the law.

If a registered provider is not following the Code, the CQC will consider whether that is because it is not appropriate to the type of service being provided. The onus will be on the provider to explain its rationale for not following the code.

Further information about how the CQC will assess registered providers and what action it can take if a registered provider does not comply with the regulation can be found on its [website](#).

The CQC's website confirms their focus will be on whether your service and your staff are delivering:

*“... safe, person-centred care and treatment that safeguards people using services from abuse and improper treatment. **If we see that staff have not yet received training appropriate to their role, we will check what action you have taken to mitigate any potential risks for people using services.**”*

We are providing this document to support your mitigation as to why you may not be able to meet this requirement at the present time.

Position regarding the delivery of the Oliver McGowan Mandatory Training on Learning Disability and Autism training in Shropshire Telford and Wrekin as of July 2023

NHS Shropshire Telford and Wrekin (NHS STW) is responsible for the roll out of the Oliver McGowan Mandatory Training on Learning Disability and Autism training across the Integrated Care System (ICS) and have set up a Stakeholder Group to facilitate this.

Although the new legal requirement within the Health and Care Act 2022 does not specify a training package or course for staff, the Oliver McGowan Mandatory Training is the government's preferred and recommended training for health and social care staff to undertake to enable providers to meet the requirements of the Health and Care Act 2022.

It is important to note that the evidence and learning from the trial and evaluation of the Oliver McGowan Mandatory Training has been used to inform and set the standards contained in the draft Code. The Code includes a section dedicated specifically to the Oliver McGowan Mandatory Training as well as references to it throughout the Code.

How is the training completed?

The Oliver McGowan Mandatory Training on Learning Disability and Autism is delivered in 2 separate tiers. Both tiers consist of 2 parts:

Part 1

- The eLearning, which is now live, this is part 1 of both Tier 1 and Tier 2.
- Everyone needs to do the eLearning regardless of where they work and what tier of training they need to complete.

Part 2

- Part 2 of the training is delivered either as a live 1-hour online interactive session for those needing Tier 1 or a 1-day face to face training for people who require Tier 2.

Staff do not need to complete both Tier 1 and Tier 2 training.

What should providers be doing now?

We encourage providers to:

1. Identify which of their staff need to complete Tier 1 and Tier 2 of the training.

Employers should refer to the Oliver McGowan Mandatory Training Tier Guidance to determine which staff should complete which tier.

[The Oliver McGowan Mandatory Training on Learning Disability and Autism: Tier guidance for employers \(hee.nhs.uk\)](#).

To assist scoping for the training delivery, the ICS are requesting providers also complete the [ICS OMMT Scoping questionnaire](#).

2. Enrol staff on the eLearning module, which is now available.

The eLearning is a valuable learning resource and is a vital first step to give staff knowledge and skills to help change culture and improve lives now.

Staff can access the eLearning module via [Shropshire Telford & Wrekin Learning Portal \(mel-lms.online\)](#). Each staff member will need to be registered on the Learning Portal. They can either self-register using the link above or organisations can request a bulk registration for all their staff by contacting Jo Bayliss at jo.bayliss@nhs.net and giving a named person to act as the LMS administrator (enabling them to export reports etc.).

The eLearning module is also live and available for learners to access on the following portals:

- Shrewsbury & Telford NHS Foundation Trust LMS: *Learning Made Simple*
- Shropshire Council LMS: *Leap into Learning*.

When will the interactive online and face to face session training delivery be available?

The NHS England (NHSE) website and the *NHSE Regional Delivery Group - The Oliver McGowan Mandatory Training on Learning Disability and Autism* have confirmed most organisations across England are in the early stages of rolling out the trainer training and expect that later in the year there will be more trainers and training organisations delivering training. ¹

NHS STW are working collaboratively with Shropshire Council's Joint Training Team to deliver *phase 1* of the interactive online and face to face session training.

As of **30 June 2023**, Joint Training has developed the following local capacity to deliver *phase 1* roll out of the training:

Tier 1

- Currently one trio awaiting accreditation with go live to deliver training in Q3.
- A further two trios identified with recruitment progressing and plans in place for training and accreditation with the ambition to go live at start of Q4.

Tier 2

- One lead trainer employed to deliver the tier two *train the trainer* programme for people with lived experience and for facilitating trainers.
- An additional two facilitating trainers also trained.
- Six experts with lived experience identified and recruitment progressing with training and accreditation to follow.
- Initial tier two training capacity for delivery anticipated from Q4.

We will be communicating further information about the delivery as soon as it has been confirmed.

Once training delivery has commenced, *phase 2* will start and will include working with the Stakeholder Group and providers to consider how the training delivery will be funded, expanded, and become *business as usual*.

¹ The list of training organisations with approved trainers offering *The Oliver McGowan Mandatory Training* can be accessed here: [Digital Team - OFFICIAL - OMMT approved trainers \(website upload\) June 2023.pdf - All Documents \(sharepoint.com\)](#)

Only approved training providers can describe their training as "*The Oliver McGowan Mandatory Training on Learning Disability*" or use "*Oliver McGowan*" in their training title as this is now a registered trademark.

What about the requirement for staff to complete part 1 and part 2 training within a 6-month period?

The Oliver McGowan Mandatory Training on Learning Disability and Autism requires both parts of the training to be completed (the eLearning and the interactive online or face to face session). Participants will need to recall information from the eLearning during part 2 of the training and that *“ideally part 1 and part 2 will be completed within days of each other”*.

[FAQs: The Oliver McGowan Mandatory Training on Learning Disability and Autism](#)

In circumstances where as much as 6 months pass, participants will be asked to refresh their memory of the eLearning ahead of the interactive or face to face session. The eLearning package can be replayed at any time so it can be completed and then revisited ahead of attending part 2.

In addition, we are working with the regional *NHSE Oliver McGowan Mandatory Training Group* to develop a document to support the eLearning refresher for people who have completed the e-learning more than 6 months before doing the next part of the training. This document will be shared when available.

How will monitoring and reporting be undertaken?

The CQC will look at how registered providers are ensuring that staff are appropriately trained to meet the requirements of the regulations. Registered providers and training providers are expected to make training data available to the relevant monitoring body (for example, their integrated care board or local authority) and collaborate in any future impact evaluation activity.

NHS STW is required to provide monitoring data to NHS England for all system partners including our independent providers and the Stakeholder Group will be overseeing collating the information for this reporting.

How will the ICB collate data for staff who have completed the training via another route?

If your staff have already accessed the eLearning module via eLearning for Health or via your own learning management system, the Stakeholder Group will request this data to enable system reporting to NHS England who are overseeing the rollout of the training nationally.

How will we keep providers informed?

The Stakeholder Group will continue to provide regular updates and opportunities to engage with the process and delivery of the training. If you have any questions or queries, please email stw.peopleteam@nhs.net

For further general information about Oliver McGowan Mandatory Training on Learning Disability and Autism visit [Oliver-McGowan-mandatory-training-learning-disability-autism](#)

Further frequently asked questions

Can employers use a different learning disability and autism training package instead of The Oliver McGowan Mandatory Training standardised package?

The Oliver McGowan Mandatory Training is the government's preferred and recommended training for health and social care staff.

It was developed as a single standardised training package as set out in [Right to be heard](#) (2019) the government's response to the consultation on proposals for introducing mandatory learning disability and autism training for health and social care staff.

It was co-produced and trialled and independently evaluated to provide good practice training on learning disability and autism. Employers using The Oliver McGowan Mandatory Training on Learning Disability and Autism can have confidence that this training is recognised by national bodies advising on standards for the sector.

Can you use your own eLearning package, followed by part 2 of The Oliver McGowan Mandatory Training?

This is not possible. The Oliver McGowan Mandatory Training consists of the standardised eLearning, available on eLearning for healthcare, and the standardised interactive second part. The training has been designed so part two builds on the learning from part one.

Can your organisation use Oliver's Story video in our own learning disability and autism training?

This video is part of Oliver's Campaign which is now a registered trademark. Paula McGowan OBE has only given permission for the video to be used as part of the standardised The Oliver McGowan Mandatory Training on Learning Disability and Autism. It cannot be used in other education and training packages or sessions. Permission must be sought from Paula McGowan OBE prior to using any of Oliver's Campaign material.