

Second Bild Association of Certified Training Newsletter for APRIL 2021

Certification news

Statement Regarding 1st April Deadline

From the 1st April 2021 Providers of NHS commissioned services are required through the standard NHS contract to ensure that their training in restrictive practices has been certified as compliant with the Restraint Reduction Network standards. At this time, the Care Quality Commission will expect all regulated services across health and social care to only use training in restrictive practices that are certified as complying with the Restraint Reduction Network training standards.

Therefore, all approved training providers must only deliver training in restrictive practices that is certified as meeting the RRN Training Standards to these services (from April 2021).

Adjustments due to Covid

Due to the pandemic and exceptional circumstances temporary adjustments have been made to the requirements regarding refresher training and deadline for affiliate service providers to be approved.

Training providers can continue to temporarily deliver uncertified training to affiliates that require certified training (e.g., as NHS commissioned or CQC regulated) but have not yet been approved due to covid related delays provided they have a non-conformity action plan in place. The non-conformity action plans will need to be completed and affiliate approved by the start of **June 2021**.

This same date will apply to new training organisations working towards approval for certified training. This will mean after this date all training in these services will be certified.

Please be aware that delivering uncertified training beyond this grace period may result in BILD ACT taking action to prevent the certification scheme being brought into disrepute (Please refer to the Certification Handbook)

Bild ACT are obliged to notify CQC and NHSE of any affiliates who are non-compliant so that can take necessary action. Equally BILD ACT will issue non-conformity action plans to any training organisation delivering non-certified training to organisations that require it.

It has been agreed that until **1st January 2022** reasonable adjustment are in place as some services are under extreme pressure to release staff for refresher training and service providers may therefore extend refresher training to up to 18 months (see previous guidance for more detail).

BILD ACT position on listing affiliate providers

BILD ACT met with UKAS in March 2021 to discuss the issue of affiliates being listed on our website. We described the concerns raised by our commercial providers and spent some time outlining some possible options including a searchable database. UKAS were very clear that information must be publicly available and transparent to avoid being misleading.

The directory must with ease be able to find whether training has been certified as compliant with the RRN standards. If the model of delivery is through an affiliate arrangement then this must be clearly stated, easily accessible and state which affiliate is licenced by which training organisation. They were therefore not supportive of a searchable database as it would be less transparent and could be misleading.

BILD Act also acknowledge that this will continue the concerns raised by some providers about the commercial sensitivity of listing affiliates.

To address this concern BILD ACT sought legal advice as we do not wish in any way to breach the legal commercial confidentiality issues of our certified organisations. The advice we received is summarised below:

1. It is a requirement of the certification approval scheme that BILD ACT are transparent as to the scope of certification including the publication of names of certified training organisations and affiliates. The publication of this information is a contractual obligation outlined as per our contracts with you the training organisations and your affiliates. As such BILD ACT as part of the UKAS ISO standard are obliged to publish the names of all certified organisations and affiliates. The advice we have received does not consider publication of names to be classed as commercially sensitive information particularly as those details would be available to anyone undertaking a freedom of information request to NHS/ CQC.

BILD ACT will continue to publish both Certified and affiliate organisations on the BILD ACT website once the certification approval process has been satisfactorily completed.

Intellectual Property.

BILD ACT takes its responsibilities regarding the Intellectual property (IP) of all its certified organisations very seriously and as such has revised the BILD ACT IP policy which clearly outlines our approach to this sensitive issue. [Please click here for a full copy](#). The relevant sections have been outlined below:

- It is expected that all training organisations applying for the BILD ACT Certification Scheme respect the intellectual property rights of other organisations. The organisations will be asked to confirm this is the case at several points during the application and certification process.
- Where it is suspected an organisation has breached Intellectual Property Rights and this cannot be resolved, we reserve the right to inform the organisation we believe owns the IP (and they may in turn choose to take action).
- Where an organisation suspects a breach of intellectual property right against them and bring it to BILD ACTs attention the Scheme Manager will decide a course of action which may including, suspending an organisation application or Certified Status until the matter has been resolved.
- Where it is suspected by an assessor that a training organisation applying for Certification may be making unlawful use of the programmes, support materials and/or curriculum of another organisation, the application will be suspended until such time as the applicant can demonstrate to the satisfaction of the BILD ACT Certification Scheme Director that:
 - a) The application does not substantially reproduce any copyright materials of another organisation or otherwise make such use of another organisation's IPRs as would be unlawful without permission. **(This may involve forwarding the materials to the suspected originator for comment)**

OR

- b) That the applicant has the express permission of the organisation to use the suspected material. **(Clarification will be sought in writing).**
- Where it can be clearly demonstrated that an infringement of intellectual property rights has occurred, the matter will be presented to the BILD ACT Independent Appeals Panel for consideration. This may lead to suspension or removal of Certified status for an existing Certificated provider or the cancellation of an application for Certification, in such circumstances a refund of fees will not be payable.
 - BILD ACT will act responsibly to protect the 'intellectual property' contained within an application.

Conflict of Interest

It is of the utmost importance to BILDACT that we are considered to be an impartial separate organisation distinct from both Bild and the RRN. We recognise that from an outside perspective some may question this impartiality and indeed many have raised this as an issue.

BILD ACT will over the coming months make further efforts to ensure the independence and impartiality of the Charity in addition to the following actions already taken:

1. The establishment of a separate Board of Trustees
2. Accredited by UKAS as meeting ISO certification standards to ensure impartiality and credibility.
3. The creation of an impartiality committee
4. The development of a conflict-of-interest risk register
5. The appointment of a Certification Director with sole responsibility for BILD ACT
6. The development of separate Newsletters for BILD ACT and the RRN

Questions about the Restraint Reduction Network Training Standards

If you have any queries about the Restraint Reduction Network Training Standards, please contact RRN@bild.org.uk and the Restraint Reduction Network will do their best to reply promptly. FAQs will be answered through this newsletter.

The next RRN newsletter will include an update on preventive training, the risk tool and blended learning.

Best wishes

The Bild Association of Certified Training Management Team