

21 June 2024

Sent by email to hscs.committee@parliament.scot

Dear Health, Sport and Social Care Committee,

The National Care Service Bill

Following the Independent Review of Adult Social Care in 2021, the Scottish Association of Social Work (SASW) has been working with partners on the proposals for a National care Service.

Our aim remains that the Bill meets the aspirations of supported people and the ambitions of social workers who are central to the delivery of the Bill's intended outcomes.

As the nature of the Bill has changed over the last year, we have engaged with our members, governing committee, and key stakeholders. The largest professional association for social work in Scotland, SASW is now significantly concerned that the Bill will not deliver the positive change for the social work and social care sector that is so urgently needed; the reason the Bill was first introduced. We are concerned the Bill may have no positive impact and could even make an already overly complex and confused system worse. In this letter, we set out our key criteria for the Bill and the goals that we hope amendments will make possible.

SASW's intention is to try to achieve a bill to deliver real change that our members can support. We hope that our position statements will assist the Committee at stage 2.

SASW's criteria

For the Bill to meet the aspirations of the social workers we represent and the people they support it must:

1. Create a system that is both empowering and simpler to negotiate for people who need support. It must pay particular attention to points of transition.
2. Ensure that the landscape of Scottish social services at strategic, partnership, commissioning and frontline levels improves the availability of support and reduces unnecessary bureaucracy for everyone.
3. Embed a rights-based relational approach delivering improved service choice and control.
4. Offer consistency of access and eligibility criteria across geographic areas to make it easier for people who need support to move if they want or need to.
5. Bring clearer accountability so people know who is responsible for services and to deliver swift resolution should supports fail.

National Social Work Agency

The National Social Work Agency (NSWA) remains a vital means to achieving the aims of the Independent Review of Social Care. SASW was disappointed that social work was not addressed by the Independent Review as the key decision points for people needing support are nearly always connected to social work and social workers.

We expect the NSWA will help to address many of the improvements needed. We expect it to provide national infrastructure, oversight, and guidance for the work that social workers do. An NSWA with the right powers and duties should ensure people in Scotland see a fair and consistent approach that is locally tailored and allows co-designed, creative methods of meeting their needs

The social work profession needs national support that plans the workforce and offers it career development and learning pathways.

SASW supports the creation of the NSWA (as part of or outwith the Bill process) especially in the incohesive health and social care environment that the Bill does not currently address.

SASW position statements

Please find attached an appendix setting out our current position statements. These have evolved over the last three years and reflect the needs and wishes of a profession that remains optimistic and engaged but is in existential crisis. We have contributed our thinking on these to the civil service team working on the legislation and other aspects of the National Care Service Programme.

SASW remains committed to working with all policymakers and social work stakeholders to ensure Scotland has a thriving profession that supports all of us when we need it.

Thank you for taking the time to read our analysis and concerns. We would greatly appreciate the opportunity to expand on the matters raised at the appropriate time. We will be looking with great interest at the expected proposed amendments from the Scottish Government and will consider how these relate to our position statements.

Yours sincerely

Alison Bavidge, National Director SASW

Toyin Adenugba, Co Chair, SASW

Caroline McDonald, Co Chair, SASW

Appendix 1: SASW position statements

1. Citizen expectation of consistency

People in Scotland need to be able to understand the public service environment so they can access services easily. There should be transparency about responsibilities and accountability for good quality services across Scotland. Currently, people can be eligible for support in one area and not in another. This is unacceptable and is not currently addressed in the Bill. Social workers' assessments should be accepted across local authority boundaries saving resource, respecting professional skills, and giving confidence to people wherever they live.

SASW believes that the National Care Service Bill will not be as effective as people hope unless there is a single scheme of delegation of all social work services to the reformed integration authorities (care boards). Service delivery should be locality based as part of multi-agency, multi-disciplinary working to meet people's needs. It should be centrally accountable in order that National Standards can be set and achieved.

A National Social Work Agency that has the powers and duties to deliver national infrastructure, standards and guidance for social work will help to reduce unnecessary differences in services across the country.

2. When things go wrong

The NCS Bill should make it easier for people to address issues when things go wrong. People in Scotland deserve, and pay for, good quality public services. When services fail, people need to know that issues will be fixed swiftly and that lessons are learned and acted upon.

Citizens need a clear right to redress. People need to know how and who to complain to and be confident that their experiences are taken seriously and learned from.

A National Social Work Agency should pull together these lessons for the social work profession so that recommendations are implemented consistently and not lost.

3. Simplifying systems

The NCS Bill should simplify the health and social care system in Scotland. People who need support may be adults, have children, and be in the justice system. Where families with children are struggling, children's services must have easy access to adult services including mental health and substance use. People in the justice system often have multiple health and social issues and need support from adult services to reduce their risk of offending and live positive lives in our communities.

A National Social Work Agency that has the powers and duties to deliver national infrastructure, standards and guidance for social work will help to reduce unnecessary differences in services across the country and connect services across adult, children's and justice social work.

4. Prevention and Early Support

The Independent review of Adult Social Care was clear that Scotland needs a model of early prevention and support and move away from crisis support/intervention. This model helps people remain independent longer and reduces the need for high-cost emergency support. The NCS Bill nods to the notion of upstreaming, but it seems unlikely that people in Scotland will see an improvement in services without additional resource to recover from the impact of 15 years of austerity.

5. Relationship-based social work

The NCS Bill should ensure that the integration of health, social work and social care supports the unique and complex role of social work. The Bill must improve the day-to-day experience of people who need support.

To do that, it must support both relationship-based long-term social work with individuals and communities and the public protection role of social work. The Bill must support social work leadership, continuing learning, and professional autonomy.

6. Recruitment and retention

Fair work and ethical commissioning are essential to improving working conditions across the whole social services workforce. Working conditions for social workers is not only about pay, but also workload, learning opportunities, excess hours, and professional support. A national social work agency should establish standards of practice and hold employers to account for their ability to deliver quality social work services.

For these reasons we oppose any workforce charter that does not directly improve the wellbeing of the workforce, bring resource, or increase worker rights or employer responsibilities.

7. Planning for increased demand

Demographic change will continue to place pressure on public services. The Scottish Government must commit to properly resourcing the sector to meet future need.

A National Social Work Agency should have the powers and duties to address the ongoing workforce shortages through effective and sustainable workforce planning for social work.

8. Representation on boards

The NCS Bill should create a provision for the representation of people with lived experience on governance boards. It should ensure they have any support they need to fully contribute to make sure their involvement is not tokenistic. This should include equal voting rights.

The term workforce representation is too broad and should be broken down. Professional, union and employer views should all be properly represented as these groups often have competing or conflicting views.

Regulations or guidance should set out best practice for replicating the NCS National Board representation arrangements through to local integration authorities and into other partnerships, locality, and neighbourhood decision making groups.

9. A single social work and social care portfolio

Social work appears in many Ministerial portfolios. This creates a busy and disjointed approach to policy development. There should be a clear route to identifying the impact of Ministerial decision making on social work.

A National Social Work Agency should be able to support and advice on Ministerial decisions and inform Government on the impact of policy change on social work. The National Social Work Agency will need to have the power to agree priorities and realistic budgets to achieve policy goals at national and local level.