

## National Care Service Bill (Stage 1)

### Position of Scottish Association of Social Work

The Scottish Association of Social Work (SASW) is part of the British Association of Social Workers, the largest professional body for social workers in the UK. There are over 10,000 registered social workers in Scotland, around 1,500 of whom are SASW members. This comprises staff working in local government and the independent sector, across health and social care, education, children and families, justice services, as well as a growing number of independent practitioners. SASW's key aims are:

- Improved professional support, recognition, and rights at work for social workers
- Better social work for the benefit of people who need our services
- A fairer society

#### Social Work: Where are we now?

Eligibility criteria has raised thresholds to access help, making social workers gatekeepers of resources. Social workers are often only able to get involved at crisis point. They are perceived as the punishers of people for whom prevention and early intervention were not available or did not work. The social contract between the profession and those it serves is at best strained.

[The Setting the Bar report](#) published in June 2022 showed that social workers feel debilitated by fear of getting something wrong, are exhausted and burnt out from spiralling caseloads. They work in an environment in which they are not supported to learn and develop throughout their careers.

Social work has been subject to years of under-funding at local government level. This, in addition to demographic changes resulting in more people needing support as they age and the continuing impact of poverty, has compounded the problems experienced by people who need support and increased pressure on the social work workforce.

The profession is at a vulnerable point. The workforce is demoralised and, if things don't change, people will continue to leave. The subsequent impact on everyone who need services and those who remain in the profession will be catastrophic.

#### What do we need this Bill to achieve?

- Ambitious and substantial reform of the role of social work to become a community-based profession where social workers have autonomy, time, and

resources to build relationships and trust with people who need support. One that is accessible to all of us when we need support and is trusted by the public, our employers, and government.

- A National Social Work Agency with responsibility for, training and development, recruitment and retention, workforce planning, for setting social work pay and conditions and developing a clear career pathway.
- All social work specialisms must be included within the proposals. Leaving out children's and justice services would risk fragmenting the profession and segment services that need to work together for individuals, families and communities.
- Better working conditions. Social workers have unmanageable caseloads and the profession is under-resourced and under-staffed. This is leading to burnt-out, exhaustion and poor morale.
- Commitment to properly resource the NCS.

The greatest risks to reform and the delivery of an improved system that achieves some of the vision of the Feeley report are that we gain a new legislation and structure but with no increase in resource and with the same narrow crisis role assigned to social work. [The Bill just now](#)

The Bill lacks sufficient detail and omits anything on the role of social work and proposals for a National Social Work Agency. The framework approach is too broad and open to interpretation. We cannot agree to a plan to remove or amend all the legislation underpinning the profession without knowing what will be in its place.

The principles for the National Care Service are very 'light touch' and don't define what the NCS should achieve. They should sit alongside the broader principles set out by Common Weal in their ['Caring for All' paper](#).

The power to transfer staff from local authorities to care boards in the Bill is unclear. If staff are not transferred, what is the relationship of the staff doing the work to the Care Boards who will, presumably, hold the duties for wellbeing previously held by local authorities. Might care boards commission social work from local authorities? We would not support that due to the likelihood of task-based service level agreements that undermine relationship-based practice and further narrow the role of social work.

Information is lacking on which staff will be affected by transfer of functions. Social workers are concerned that a TUPE transfer could result in poorer terms and conditions. There is also confusion around how social workers employed directly by NHS Highland are affected given the Bill disallows transfers from NHS employers.

The strength of powers being afforded to Scottish Ministers risks moving away from partnership working and collaboration towards a top-down approach that risks removing autonomy from those doing the work. Too much centralising risks losing local expertise and experience and doesn't recognise the fact that administrations and Ministerial roles change.

Information in the Financial Memorandum of the Bill is not sufficient to support effective Parliamentary scrutiny. It is not clear from the *Resource Funding Review* whether the Scottish Government has the revenue to implement a fully funded National Care Service.

### Our Recommendations

Further engagement with the profession is needed before this Bill proceeds. The engagement process must be clear, accessible, and inclusive to ensure maximum representation. This should result in the inclusion of more detail onto the face of the Bill or the publication of the secondary legislation alongside it.

A clear strategy, including a timeline, for a robust and meaningful co-design process must be published immediately. The co-design should not commence until a decision has been made around whether to include children's and/or justice services.

Reconsider including a National Social Work Agency within the Bill. Social workers should be directly consulted on the governance and function of the agency that will have such significant authority over their profession.

Explicit mention of a social work profession based in communities must be included. The duty of welfare for citizens (Social Work Scotland Act 1968 s12) and the duties and powers around the protection of both adults and children must also be explicit.

Protection and support for staff welfare and wellbeing must be added to the Bill.

Greater checks and balances on Ministerial power must be incorporated into the Bill during amendment stages.

Care boards must retain a local focus, include a distinct social work role and align with existing geographical boundaries.

Any changes in terms and conditions must level up the range of local arrangements whilst enabling areas that find it difficult to recruit to offer a package that is attractive.

The Scottish Government should not wait until establishing a National Care Service to address the urgent problems affecting social work and social care. This includes scaling up capacity and investment in early intervention and prevention work.

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