



Councillor Shona Morrison
COSLA President

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Karen Adam MSP

Convener
Equalities, Human Rights and Civil Justice Committee
Scottish Parliament

By Email: ehrcj.committee@parliament.scot

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Dear Karen,

Thank you for your letter which poses a number of questions around the role of local authorities in addressing the challenges raised in the Committee's recent engagement sessions and in the Scottish Human Rights Commission's (SHRC) report, 'Tick Tock... A Human Rights Assessment of Progress from Institutionalisation to Independent Living in Scotland'. We welcome the report as it highlights the need for more action to support individuals to achieve their rights to be supported to achieve independent living.

Please find our response to the questions posed:

1. Pace of Change - What steps is COSLA taking to ensure that local authorities accelerate the transition from institutional models of care to independent living, in line with Scotland's human rights obligations?

COSLA are a councillor-led, cross-party organisation who champion the vital work of Scotland's Councils and its 1226 elected councillors in order to secure the resources and powers they need. We work on our members behalf to focus on the challenges and opportunities they face, and to engage positively with governments and others on policy, funding and legislation. COSLA and our members are committed to people living independently and not in institutions. We agree with the Tick Tock Report that progress in achieving this goal has to be better.

In 2022 COSLA Leaders endorsed the [Coming Home Implementation Report](#) (which COSLA Officers and Disabled Peoples Organisations (DPOs) were involved in developing) and endorsed a [Memorandum of Understanding](#) with Scottish Government which agrees the Dynamic Support Register (DSR) will be used in all Integration Authority areas.

The purpose of the DSR is to avoid people with learning disabilities living in hospitals, or in out-of-area placements which they or their family have not chosen and to avoid those with support packages which are at risk of breaking down ending up in those situations. The DSR involves multi-

disciplinary teams meeting regularly to review, maintain focus and plan for positive outcomes for those currently delayed or at risk of their existing support breaking down.

Public Health Scotland uses information from the DSR to publish information every quarter. The table below from their [June 2025 Publication](#) does indicate a welcome downward trend of the numbers of individuals identified as being inappropriately out of area reducing from 130 in September 2023 to 45 in March 2025, we also acknowledge that the numbers delayed in hospital has made much less progress in the same period.

DSR Category	Sep-23	Dec-23	Mar-24	Jun-24	Sep-24	Dec-24	Mar-25
In Hospital	171	193	192	181	195	172	157
Inappropriately Out-of-Area	130	109	75	66	57	51	45
At Risk of Support Breakdown	154	200	222	227	234	136	116
Enhanced Monitoring	144	183	175	183	188	82	104
Appropriate Out-of-Area	644	716	799	858	871	832	842
Scotland (Estimate)	1,243	1,401	1,463	1,515	1,545	1,273	1,264

COSLA Officers met the Chair and Officers of the SHRC to discuss the Tick Tock Report. Officers shared the concerns of the SHRC on lack of progress and agreed that more needed to be done and noted that a summit of system leaders to see how greater progress could be made was being arranged.

SHRC Officers subsequently made a presentation at the Summit of System Leaders on Coming Home Implementation, which was an in person meeting hosted by COSLA on the 12 May 2025, SHRC provided advice and answered questions on how they see the UNCRPD Frameworks assisting the progress of Coming Home, and highlighted that a pragmatic approach is needed to address the issue with urgency, as well as taking the time needed to produce a robust, deliverable action plan.

The Summit considered barriers to implementation, and identified a range of priorities which should be taken forward at pace. These include:

- Finance based on better outcomes for individuals and their families.
- The need for a focus on the workforce and better workforce planning, training and recruitment.
- Consideration of national commissioning and more collaborative approaches to commissioning.
- Working to embed a human rights approach in planning and decision making alongside the SHRC.
- Improving understanding of data and how it can be used.
- Consideration of models of care and how there can be improved and adapted to ensure more collaborative working.

A Short Life Working Group be established to develop an Action Plan at pace over the coming months to develop both short and longer-term actions. COSLA and Scottish Government officers

have arranged an initial meeting of this group in July, and subsequent meeting are diarised monthly until November 2025.

COSLA's Health and Social Care Spokesperson Co-Chairs with the Cabinet Secretary for Health and Social Care the Collaborative Response and Assurance Group (CRAG) which meets regularly to consider delayed discharge and actions which are being taken to support individuals to get out of hospital and into homely community support. The Short Life Working Group will make recommendations to the CRAG.

2. Self-Directed Support (SDS) - What actions is COSLA taking to address inconsistencies in how SDS is implemented across local authorities, particularly in relation to funding restrictions and administrative barriers?

The Committee may wish firstly to refer to COSLA's response to the Health, Social Care, and Sport Committee's report following their post-legislative scrutiny of Self-directed Support (Scotland) Act 2013: <https://www.parliament.scot/-/media/files/committees/health-social-care-and-sport-committee/correspondence/2025/correspondence-from-cosla.pdf>

COSLA's response highlights a firm commitment from Local Government to ensuring a human-rights based approach to care and support, in line with the principles of SDS. The correspondence highlights a range of challenges that have impeded progress in this, including severe financial challenges facing Local Government and, by extension, Integration Authorities who commission care and support for adult services – and in several local authorities, have delegated responsibility for commissioning children's care and support services. Audit Scotland recently [reported](#) on the financial position of IJBs, noting that the projected funding gap of £457m in 2024/25 was set to only worsen. This is within the context of a separate recent [highlights](#) from Audit Scotland on Local Government's financial position for 2025/26, which highlights a combined revenue gap of approximately £647m. Whilst local authorities will do everything they can to address this gap, that inevitably requires difficult decisions to be taken locally across all services.

In order to support implementation of self-directed support, COSLA jointly developed the SDS Framework of Standard, alongside Social Work Scotland and the Scottish Government. The [Framework](#) consists of a set of standards for local authorities to provide them with an overarching structure, aligned to legislation and statutory guidance, for further implementation of the self-directed support approach to social care. These standards seek to support local implementation of SDS, with the aim of ensuring people consistently experience positive outcomes. However, the degree to which local authorities are able to deliver on this is impacted by the severe funding constraints highlighted in the above paragraph.

3. Accessible Housing - How is COSLA supporting local authorities to ensure there is adequate accessible and affordable housing to meet the needs of disabled people, and what work is being done to improve collaboration between councils and housing providers?

COSLA works with a number of professional organisations including Social Work Scotland (SWS), the Association of Local Authority Chief Housing Officers (ALACHO), the Society of Local Authority Chief Executives (SOLACE) and the Improvement Service to promote better joint working across the housing and social care agenda to share best practice and improved policy responses to meet the housing needs of people with disabilities.

This has included attending the Scottish Government led "Accessible Housing and Independent Living Group", participating in a number of working groups taking forward the recommendations of

the “Coming Home Implementation Report”, working with the Improvement Service to strengthen the Local Government Best Value Framework Housing Indicators and contributing to work led by the Marie Curie Trust and MND Scotland to improve adaption services for those living with a terminal condition.

Following the declaration of Housing Emergencies by a number of Scottish Local Authorities the Scottish Government announced a National Housing Emergency in May 2024. Over the last 18 months COSLA has convened a Housing Special Interest Group to respond to Scotland’s Housing Emergency and are currently developing medium to long term actions. Additionally COSLA’s Community and Wellbeing Spokesperson co-chairs with the Housing Minister, the Housing to 2040 Strategic Board ([Scotland’s first long-term housing strategy](#)). Representatives of housing associations and landlords are members of the Board.

The most recent Housing to 2040 Strategic Board meeting on 28 May 2025 discussed Local Authority partnership working being taken forward which includes homelessness prevention work, proactive and joined up intervention work by empty homes teams and targeting acquisitions to buy back family homes.

4. Social Care Workforce - What measures is COSLA putting in place to address the workforce shortages in social care and ensure that staff are adequately trained in human rights-based approaches?

COSLA recognises there are significant challenges in attracting people into the social care and social work workforce. These professions are vital to ensuring individuals, families, and carers are able to access the care and support they need to live well in the way that matters most to them. However, there remains significant shortages across the workforce that require to be addressed.

COSLA have been working with Social Work Scotland and the Scottish Government (through the Office of the Chief Social Work Adviser – soon to be the National Social Work Agency) to develop and agree a new Scottish Social Work Partnership.

The Scottish Social Work Partnership (SSWP), delivered through joint working by COSLA, OCSWA/NSWA and Social Work Scotland, will enable national oversight of the social work workforce, leading to higher quality and more consistent outcomes for people who need social work services and intervention. Acting within the framework of a strategic partnership SSWP will work together with sector partners with a professional interest in social work, to support the social work workforce.

Currently in its shadow year, the SSWP will provide for the first time a coherent national structure, based on collaboration and partnership working, to enhance the experience and outcomes of the social work profession. In its first year, the SSWP will focus on three thematic priorities of workforce planning, education, and leadership.

In addition, COSLA is engaged in national work to progress fair work in social care to ensure that Scotland’s social care workforce is valued and rewarded for the important work they do. There remains however significant challenges in attracting and retaining the workforce, both within local government and our partner providers who are commissioned to deliver care and support. This has a further impact on people’s experience of care.

5. Legal and Policy Coherence - How is COSLA ensuring that local authorities' policies and practices align with Scotland's legal obligations under the UN Convention on the Rights of Persons with Disabilities (UNCRPD)?

COSLA does not audit local authority policies and practices to ensure they align with UNCRPD, what we do in developing policies is to seek to involve DPOs in their development.

One example of activity linked to UNCRPD which COSLA is involved in is the Equally Safe Strategy which is jointly owned with Scottish Government. Equally Safe is aimed at preventing and eradicating violence against women and girls in Scotland. This strategy highlights the importance of addressing gender inequality and promoting the rights of vulnerable groups, with COSLA's leadership playing a crucial role.

Our intersectional approach considers the overlapping inequalities faced by women, children, and young people due to factors like ethnicity, race, disability, age, sexual orientation, gender identity, and immigration status. This aligns with the UNCRPD's focus on ensuring everyone can live free from violence and discrimination. We recognise that gender-based violence disproportionately affects women, especially those with disabilities.

We actively participate in the Gender-Based Violence and Learning Disabilities Steering Group alongside Public Health Scotland, the Scottish Commission for Learning Disabilities, and other stakeholders. Our goal is to ensure that VAWG policy and practice are shaped by women and girls with learning disabilities, enabling them and the services that support them to better prevent, recognise and report abuse, and access justice and support. COSLA's Boards are updated on Equally Safe activity on a regular basis.

Finally, you have requested that COSLA commit to regular engagement with the Committee on these issues, including providing updates every six months on progress made. We are always happy to engage with the Committee's work. We do however have a small team and would be very limited in capacity in terms of monitoring progress at a local level and monitoring our members activity is not a role for COSLA. However, we would be happy to have a discussion with the Committee Clerks in order to find a way forward that meets the Committee's role in scrutiny on progress that also takes account of our available resource and the role of COSLA.

Yours sincerely,

Councillor Shona Morrison
President