

Ref: NM/MA

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Health, Social Care and Sport Committee  
The Scottish Parliament  
Edinburgh  
EH99 1SP

Dear Convener

Many thanks for your letter of 16 November following my attendance at the Health, Social Care and Sport Committee. As requested, my responses focus on the questions that are of most interest to the Scottish Social Services Council (SSSC).

### **National Social Work Agency (NSWA)**

**Q:** Should the NSWA cover social work only or could it take account of multi-disciplinary working?

**SSSC response:** The focus of the NSWA should be on supporting and investing in the social work profession.

**Q:** How could a NSWA address workforce pressures in social work? Should it also cover the social care workforce?

**SSSC response:** The role of the NSWA has not yet been defined. However, the objectives cover workforce planning, terms and conditions, training and development and improvement at a national level, all factors in workforce pressure.

It will have to work with several stakeholders to do so, including the Social Work Education Partnership, Social Work Scotland, Higher Education Institutions and regulators such as the SSSC. Our role is partly about supporting a drive to increase the numbers of qualifying social workers and developing pathways such as the Graduate Apprenticeship in Social Work. We are also exploring the possible return of a fast-track route, revising the international assessments route and increasing the number of distance learning places.

The NSWA must consider the relationship between social work and social care although our view is that its remit should focus on the former. Several actions are needed to support and invest in the wider social care workforce. There are also several other organisations that need to be involved including partners in the third and independent sector.



## Workforce pressures

**Q:** What aspects of the Bill could support or embed fair work practices in social care and support services? Are there any aspects of the Bill witnesses would like to see further reinforced, or anything they would specifically like to see added to the Bill, to support this objective?

**SSSC response:** Ethical commissioning can improve fair work practices in social work and care. A key priority is to have the same terms and conditions for all staff, whether employed by NHS, Care Boards or a commissioned service.

An important point about parity of roles we have highlighted is that support workers in social care are registered and regulated with the SSSC, protecting people who use services and qualifying the workforce (40% of the adult social care workforce are now qualified). The equivalent health workforce is unregulated. A recent analysis of SVQ Qualifications at level 7 examines awards in four social service and health qualifications between 2015-2020. The four are:

- Social Services and Healthcare
- Social Services (Children and Young People)
- Healthcare support (Clinical)
- Healthcare support (non-clinical).

The SQA (Scottish Qualifications Authority) awarded nearly 26,000 qualifications during this time. Approximately 99% of these awards were in the two social service qualifications listed above.

## Expansion of workforce regulation

We note that the Scottish Government does not propose to expand workforce regulation at this stage although it may be considered as part of the Independent Review of Inspection, Regulation and Scrutiny. We welcome the Scottish Government's commitment in the [NCS Statement of Benefits](#) paper to ensure that new groups of currently unregistered workers can be added to our register where it is in the public interest to do so. We also welcome the statements on the need to consider the regulation of Personal Assistants and the broader sensitivities around this workforce. Our views on the future of workforce regulation are set out in our response to the [call for evidence on the NCS Bill](#) and to the [Scottish Government's consultation on the National Care Service](#). We are happy to provide further information if helpful.

**Q:** What role is there for professional bodies in addressing workforce issues? To what extent will the Bill facilitate or impede professional bodies in fulfilling that role?



**SSSC response:** Regulators such as the SSSC have a critical contribution to make to delivering the NCS' objectives. We have approximately 165,000 people on our register. We have an important role in supporting evidence-based policy making across social work, social care and early years. We use intelligence to protect people who use services and to prevent harm. We have several key data sources such as information on registration, fitness to practise and continuous professional learning. Our various roles such as collecting data, intelligence and setting standards enable us to develop a comprehensive understanding of issues and to identify the priorities for the sector.

Regulators must be independent of the professions they regulate. We explore this area in response to the question on setting qualifications for social service staff. Regulators are different to professional bodies which, in general, have a voluntary membership. While there is a professional representative body for individual social workers in Scotland (Scottish Association of Social Workers) there is no similar body for individuals working in the various professions within social care to advocate on behalf of their members, raise issues and concerns in the same way as the British Medical Association and Royal College of Nurses.

### **Training and research**

**Q:** How can the Bill ensure staff time is protected to undergo training and professional development?

**SSSC response:** We welcome the Bill's focus on fair work practices and developing a valued workforce. [The Code of Practice for Employers of Social Service Workers](#) sets out requirements for providing learning opportunities to enable social service workers to strengthen and develop their skills and knowledge. The Care Inspectorate take the Code of Practice into account when carrying out their statutory functions. We are consulting on reviewing our Code of Practice and are also developing a strengthened approach to continuous professional learning for the registered workforce.

Ethical commissioning is an important lever to ensure staff get the time, space and resources they need to access essential training and to develop their skills.

**Q:** What are the risks and opportunities in care boards or the Scottish Ministers setting standards and becoming involved in qualifications for social services staff?

**SSSC response:** As the professional regulator we, as with all professional regulators, have a critical role around setting standards in social work education, continuous professional learning (CPL) requirements and setting training and development requirements for the social care workforce. Our view is that these roles must remain with the SSSC. Regulators must be independent of the professions they regulate to effectively operate in the public interest and for the public to have confidence that they are doing so.



There is an expectation in equivalent UK social care regulators and in other areas such as health – rightly so, in our view – that the regulator is independent and sets qualification and standards. Social work and social care must retain a similar approach. A change could have unforeseen consequences and cause disruption at UK level. It could undermine the current UK-wide standards. The NSWA could be in a potentially contradictory situation where it would have responsibility for setting qualifications and standards and be part of a governance structure where other drivers have an impact.

The 2005 Shipman Inquiry examined the role of the General Medical Council and concluded that regulators should be independent of the profession they regulate. The complexities around regulators' roles in ensuring proper standards of professional education, conduct and practice – and ensuring that decisions are not taken in isolation – is also a key theme in a 2012 Law Commission report. We are happy to share further information if helpful.

**Q: Which body or bodies should oversee training of social services staff and should this be made clear in the Bill?**

The SSSC does not deliver training, although could take on this role if resourced to do so. Other organisations may be able to offer a view on this topic. It is critical that all bodies delivering or oversee training work closely with the SSSC as we set the qualification and CPL requirements for the sector.

**Workforce data, 22 November session**

We note the Committee's discussions on workforce data and the extent to which people working in this sector are retiring early during the 22 November session. Workers must achieve registration within six months of starting a new role. To register with the SSSC a worker must satisfy the criteria for registration. This includes holding or agreeing to work towards the appropriate qualification for the job they do. We can grant registration subject to condition that workers achieve the qualification within the first period of registration, which can be up to five years. Workers and employers have a responsibility to ensure that staff get the skill and training they need for their role. We also provide several free resources on our website.

In November 2022 our Council agreed to progress our Future Proofing Programme. The Programme was agreed following extensive consultation with the sector and will have several benefits, such as making registration more straightforward and easier to understand. It will also allow more flexibility around qualifications. We publish an annual workforce data report containing a snapshot of the social service workforce.

- In August 2022 we published the [11<sup>th</sup> set of Official Statistics setting out a snapshot of the workforce as of December 2021](#).
- In November 2022 we jointly published [Staff Vacancies in Care Services 2021](#) with the Care Inspectorate.



All of reports are available from our data website.

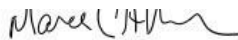
- In December 2021 the stability index score for the social services workforce was 75.5. This means just over three-quarters of staff were retained in the same service and post type over the past twelve months. This figure has fallen by five percentage points since December 2020.

Our data cannot answer some of the Committee's specific questions around the extent to which people leave the sector. Our understanding from discussions with colleagues in the third and independent sector is that around a third to a half of new starts leave in the first six months. We are undertaking further work to examine the movement of workers on our register.

I hope this is helpful. Please let me know if you require any further information.

Yours sincerely

Maree Allison



Director of Regulation, Scottish Social Services Council

