Scottish Association of Social Work

Briefing on the Coronavirus Bill 2020 & social workers (23rd March 2020)

The Scottish Association of Social Work is the largest professional association for social workers in Scotland. Our members are made up of qualified social work practitioners across the country.

This briefing is intended to provide a short summary for some key issues affecting social workers for consideration by decision-makers. We acknowledge that fast and effective measures are required at this time. However, the additional powers taken by Government and the current – and concerning - suspension of some legal and human rights for the most vulnerable are only necessary for the duration of the pandemic. It is imperative that the legislation remains under regular and constant review.

SASW calls for the following considerations to be made:

1. Social Workers must have national ‘key worker’ status

Social workers in Scotland must be included in the list of key workers, whose children can still go to school if they cannot be looked after at home. Social workers will be critical for the response to the pandemic and this must be recognised, as it has been in other parts of the UK. Social workers must be provided with these assurances – this cannot be left as an area by area consideration.

2. Social workers who are temporarily registered must have proper support and renumeration

The bill makes provision to allow Ministers to direct the SSSC to temporarily register retired social workers, those on a career break and social work students who are in their final year of training in order to increase the pool of social workers available to deliver critical social services in Scotland due to the coronavirus. These groups must have clear and proper support, supervision and renumeration, with those who are less experienced taking more of the administrative burden, than work that is of high risk.
3. Social workers must have access to PPE when carrying out non-deferrable home visits

Social workers who are performing non-deferrable essential home visits (for example, undertaking child protection and adult protection tasks) are reporting they are struggling to access hand sanitiser and personal protective equipment.

We understand there is pressure on these supplies nationally but social workers supporting people with underlying conditions must be considered a priority group for these supplies alongside NHS staff. This is needed to minimise the risk to the people social workers support, their colleagues, their families and their wider communities.

4. Changes to Scottish Mental Health Legislation – clarity on the number of orders and assessment frameworks

Temporary amendments to mental health legislation in Scotland, including the Mental Health (Care and Treatment) Scotland Act 2003 are proposed. Of concern is, “where the assent of two medical practitioners is required, or the assent of one medical practitioner and a mental health officer, this is reduced to a requirement for one medical practitioner in circumstances where seeking the assent of two would be impractical or result in undesirable delay”. SASW urges that duties should be placed on the Scottish Ministers to update and report on the number of mental health orders that have been made in the emergency period and what assessment of human rights/person-centred options/capacity has been made by practitioners that led to the provisions in the Bill being applied.

6. Sunset Clause – two years is too long

Rather than the proposed two years, the current powers of the Bill should run for a shorter reviewable period, e.g. 6 months followed by review and then, if necessary, renewal. There must be a clear exit strategy from the provisions of the Bill, including who will determine when ‘normality’ is returning, and the process whereby ‘normal’ services and human rights safeguards are reinstated.

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