

Scottish Social Services Council A Register for the Future

SUBMISSION FROM SOCIAL WORK SCOTLAND, TO SSSC CONSULTATION

March 2022

Social Work Scotland is the professional body for social work leaders, working closely with our partners to shape policy and practice, and improve the quality and experience of social services. We welcome this opportunity to comment on the proposed changes to the SSSC registration categories.

Social Work, as defined by the International Federation of Social Work is, “a practice-based profession and an academic discipline that promotes social change and development, social cohesion, and the empowerment and liberation of people. Principles of social justice, human rights, collective responsibility and respect for diversities are central to social work”¹. Social Workers are acutely aware of, and work within systemic and institutional pressures that contribute to socio economic challenges faced by the most vulnerable members of our communities, and work to empower individuals using person centred, rights based practice every day. The Human Rights Act, 1998, alongside a host of other legislation², provides the framework for the profession.

Consultation Questions:

PART 1 STRUCTURE OF THE REGISTER

Proposed Change: We propose changing the structure and reducing the Register to five parts. We will still record what level of role someone is working at so we can assess whether they hold the correct level of qualification. This information would be displayed on MySSSC for employers to see as well as any details of any conditions applied to a person’s registration.

The proposed five different Register parts are:

1. social workers
2. social work students
3. care inspectors
4. social care workers

Defined as anyone working in:

¹ <https://www.ifsw.org/what-is-social-work/global-definition-of-social-work/>

² <https://hub.careinspectorate.com/national-policy-and-legislation/government-legislation/>

- residential child care services
- adult care home services
- adult day care services
- care at home services
- housing support services

5. early education and childcare workers

Defined as anyone working in:

- day care or children services
- residential school care accommodation services

5 Will reducing the number of Register parts be an improvement to the current structure?

Yes

No

6 How much would this change make the registration information we publish on our website more easy or difficult to understand?

Very easy

Somewhat easy

Neither easy or difficult

Somewhat difficult

Very difficult

7 Will the proposed new structure help to provide a more flexible approach to how care is delivered?

Yes

No

8 Do the proposed five new Register parts accurately describe these workers?

Yes

No

9 Does this proposal have an impact on or for equality issues?

No

10 Do you see this proposal having an impact on or for any other areas?

Yes. There may be an impact on the residential child care and residential school workforce, who tend to be the same group of workers, from being in different registration categories.

11 Do you have any other comments on this proposed change?

The distinction between student social worker and qualified social worker is important and we support separate categories, but note that this is also achievable by student registration being a division of the one social worker category.

The placing of residential school staff within the 'early education and childcare' category, and residential childcare staff within the 'social care workers' category is not logical. Our view is that residential school staff and residential childcare staff should be located together in the same registration category. We suggest that this is either an additional category for social worker registration (linked to the move towards degree qualification for residential childcare staff, should this progress) or in a separate category for residential staff, to recognise the specific characteristics of the residential setting in both adult, justice and children's services.

With the move to more community-based placements often linked to housing legislating, we suggest there are advantages to specifically referencing adult residential care staff. This ensures that they are clear about their place on the register i.e. the proposed social care category refers to those working in 'adult residential care services' as well as 'residential child care services'

We would also note that the National Care Service proposals include registration of the Personal Assistant workforce. This will require future consideration.

The timescale for new starts to apply to register

Proposed Change: We propose that the regulations are changed to say that a worker must apply for registration within three months of starting in the role.

12 *Will changing the regulations make it easier for employers to comply with the requirements?*

Yes

No x

13 *Is three months after starting in their role an appropriate timescale to require workers to apply for registration?*

Yes x

No

14 *Does this proposal have an impact on or for equality issues?*

No, but there should be flexibility built in for extenuating circumstances such as illness, pregnancy or bereavement

15 *Do you see this proposal having an impact on or for any other areas?*

Employers will work to the required timescales. Given the crisis in social work and social care currently, and the move to encourage recruitment, there could be a consequential increased demand on employers which impacts initially on their ability to support registration. A phasing in or delaying of this aspect may be indicated.

16 Do you have any other comments on this proposed change?

No

Public Register online

Proposed Change: We are proposing to change the information made available about registrants on the public Register on the SSSC website.

17 Should the public Register on the website show the level of role someone is carrying out, such as manager, supervisor, practitioner, support worker?

Yes

No x

18 Should the public Register online show whether someone has the qualification for their role or not?

Yes

No x

19 Should the public Register online show fitness to practise warnings and conditions, that are currently on a separate area of the website?

Yes

No x

20 We are considering publicising information about additional practice qualifications registrants may hold, for example mental health officer awards and practice teaching awards.

Should the public Register show if a registrant holds an additional qualification?

Yes

No x

21 Should any other information be shown on the public Register online?

Yes

No x

22 Does this proposal have an impact on or for equality issues?

If additional aspects are published then this may have equality implications e.g. if someone has a fitness to practice matter being considered by SSSC, and they apply for another post where this is, or is perceived to be, a factor in them being unsuccessful, this raises data, privacy and equality issues, particularly if the matter is then unfounded.

We would also reference the BASW report on racism in social work³, which highlights racism within the profession and institutions, and lack of support for social workers from BAME backgrounds. There is a real risk that those from minority and other disadvantaged backgrounds are additionally adversely affected or at risk of further discrimination by publication of additional data.

23 Do you see this proposal having an impact on or for any other areas?

Care is required about what information is published. Defining what is an appropriate or relevant additional qualification is complex. Additionally individuals should be able to choose if they wish additional information about themselves published. If it is decided to publish additional information on registrants, this then creates an unequal position where some do not wish information published and others do, calling the validity and helpfulness of publication into question.

Care is also required from a staff protection perspective given the sensitivity of the areas of work where many social work and social care staff are employed.

24 Do you have any other comments on this proposed change?

The purpose of the public register is for members of the public to check if someone working with them or their family is registered for the role they are undertaking. We query what purpose publishing additional information in the public register would serve. Employers may already access other details relevant to employment - something that is necessary to enable them to carry out their duties, and for the protection of staff and service users.

The inclusion of additional information is also out of kilter with the goal of reducing and simplifying the register, to make its use easier to understand.

Registration period

Proposed Change: We are considering bringing in a continuous registration period which would not have an end date. This means that workers would not have to renew their registration every three or five years.

Instead, registrants would complete an annual declaration at the same time as they are paying their fees. The annual declaration would include telling SSSC of any changes that might affect registration.

³ [A report on 'Anti-racism in Social Work' activities across the UK | www.basw.co.uk](http://www.basw.co.uk)

25 Will removing the need to renew registration be an improvement over the current requirements?

Yes

No x

26 Does this proposal have an impact on or for equality issues?

It raises equity issues in relation to parity with other similar professions

27 Do you see this proposal having an impact on or for any other areas?

See above answer to Q26

28 Do you have any other comments on this proposed change?

While we appreciate the consideration of making the re-registration process simpler, Social Work Scotland consider that parity of process with other professionals is important e.g. allied health professions. There is also value in the process for employers in terms of regular checks.

PART 2 QUALIFICATIONS, SKILLS AND LEARNING

Flexible qualifications that can move with different roles

Proposed Changes: We are proposing wider acceptance of units within SVQs which are transferable across different sector areas so qualifications become more flexible and may be accepted for different roles without the need to do another qualification that covers similar core skills.

We propose to map SVQ units to the job functions we register in order to set out the combination of units an individual can undertake to allow them to register with the SSSC and move roles with the same level of SVQ qualification requirement without having to gain additional qualifications. We also propose that we develop a new SVQ qualification for registration that would be accepted for different roles and settings.

29 Should the SSSC be more flexible and accept SVQ units gained in adult or childcare settings for registration in other roles?

Yes x

No

30 Should the SSSC develop a new SVQ qualification that would support individuals to work across different roles and settings?

Yes

No x

31 How much more or less would qualifications that are accepted for different roles support new models of care?

Much more support

A little more support x

Neither more nor less support

A little less support

Much less support

32 How helpful would qualifications that are accepted for different roles be to address recruitment and retention pressures in the sector, especially in remote and rural areas?

Very helpful

A little helpful x

Neither helpful nor unhelpful

A little unhelpful

Very unhelpful

33 How much more or less attractive would a career in the sector be if qualifications were accepted for different roles?

Much more attractive

A little more attractive x

Neither more nor less attractive

A little less attractive

Much less attractive

34 Taking into consideration our key principles and criteria that underpin all our qualification standards, are there any other qualifications we should consider for any of the Register parts?

No

35 Does this proposal have an impact on or for equality issues?

No, though consideration of equality in the detail of any action taken is critical

36 Do you see this proposal having an impact on or for any other areas?

While we have answered 'yes' to the question 'Should the SSSC be more flexible and accept SVQ units gained in adult or childcare settings for registration in other roles?' this is only the case where there is clear mapping and inclusion of critical knowledge and skills and values that are appropriate to the specific settings

37 Do you have any other comments on this proposed change?

The SVQ landscape is already confusing and cluttered, thus our response to Q30 above.

Development of a new SVQ qualification by SSSC. It is difficult to make comment on this without additional information on what might be proposed. For example, does this mean a flexible qualification that could cut across children and adults services at

each SCQF level, or does it mean across health support services and social care? Either way a full assessment would be necessary to look at the core and specific knowledge, skills and values and assessment focus areas to ensure that they effectively align with needs of the different parts of the sector and the care/support/outcomes of people.

Adult social care qualification level

Proposed changes: The qualifications at SCQF level 7 more accurately describe the role and functions carried out by workers in housing support and care at home services.

We propose to change the qualification requirement for support workers in care at home and housing support from SVQ Social Services and Health at SCQF level 6 to SVQ Social Services and Health at SCQF level 7.

38 Should the qualification requirement for support workers in housing support be at SCQF level 7?

Yes

No x

39 Should the qualification requirement for support workers in care at home be at SCQF level 7?

Yes

No x

40 Should we introduce an additional Register part for practitioners at SCQF level 7 to allow employers to decide what level is most appropriate?

Yes

No x

41 How much easier or more difficult would recruiting to these roles be, if the qualification level was changed?

Much easier

A little easier

Neither easier nor more difficult

A little more difficult

Much more difficult

42 How much more or less likely would individuals be to join the workforce, if the qualification level was changed?

Much more likely

A little more likely

Neither more nor less likely

A little less likely

Much less likely

43 Does this proposal have an impact on or for equality issues?

Applying a different level of qualification for roles in similar categories creates inequality

44 Do you see this proposal having an impact on or for any other areas?

See above. Increasing the qualification level for housing support and care at home also creates additional differences between aspects of adult and children's care that are unnecessary and will reduce ease of movement of employment and transferability of qualification.

45 Do you have any other comments on this proposed change?

We are unclear about the driver for a change in qualification level for housing support and care at home staff. We are also concerned that this may impact further on the challenges related to staff recruitment.

Timescale to gain qualifications for registration

Proposed Change: We propose to reduce the timescale for individuals to gain the required qualification from five to three years.

46 How much easier or more difficult will this change make to ensuring individuals complete the required qualification on time?

Much easier

A little easier

Neither easier or more difficult x

A little more difficult

Much more difficult

47 Does this proposal have an impact on or for equality issues?

Yes. There has implications for care staff working with children if a qualification requirement is applied to those working with adults but not children. Many agencies also provide support to both children and adults

We would also highlight that there may be particular implications for individuals with disabilities such as dyslexia – a protected characteristic noted within the Equalities Act 2010 – who often require additional time to complete tasks.

48 Do you see this proposal having an impact on or for any other areas?

No

49 Do you have any other comments on this proposed change?

Three years is a reasonable timescale to achieve a qualification. However, with reference to our comment in 47 above, the timescale should be set at a period appropriate for all individuals to avoid excluding or disadvantaging specific groups.

Return to practice

Proposed Change: We are proposing to develop return to practice standards for social workers who have come off the Register for over two years and want to rejoin and for social workers who have not practised in Scotland within the last two years (or longer). Individuals will need to evidence that they have met the continuous professional learning (CPL) requirements and to demonstrate how they have updated their skills and knowledge.

50 Should there be a return to practice process for social workers?

Yes x

No

51 Should there be a return to practice process for other Register groups?

Yes x

No

52 Does this proposal have an impact on or for equality issues?

No

53 Do you see this proposal having an impact on or for any other areas?

No

54 Do you have any other comments on this proposed change?

Most professions have a return to practice process, and this would bring social work in to alignment. It should however, be simple and easy to access and attain.

The two-year timescale, however is too short and we suggest that this be extended to at least 3 years.

Continuous professional learning (CPL) requirements

Proposed Change: To make sure the workforce has the right skills and knowledge at the right time to support their professional development and equip them to be a confident, skilled workforce, the SSSC is considering introducing mandatory requirements to CPL. For example, this could include mandatory requirements for workers new into roles that will need to be achieved as part of their induction.

This would allow us to support the workforce and respond to emerging skills more quickly

when required for example, the infection control skills and knowledge required at the start of the pandemic.

55 Should the SSSC be able to set mandatory training for CPL requirements?

Yes x

No

56 Should there be mandatory CPL requirements for those new into role?

Yes

No x

57 Should there be annual CPL requirements?

Yes x

No

58 Does this proposal have an impact on or for equality issues?

No

59 Do you see this proposal having an impact on or for any other areas?

No

60 Do you have any other comments on this proposed change?

We consider mandatory CPL on an annual basis for registered staff is useful, but this should not be onerous or complex to evidence.

We do not consider mandatory CPL for those new to a role to be the province of SSSC. This and induction should sit with employers

For further information, please do not hesitate to contact:

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