

Children (Care, Care Experience and Services Planning (Scotland) Bill: Financial Memorandum

SUBMISSION FROM SOCIAL WORK SCOTLAND, TO SCOTTISH PARLIAMENT'S FINANCE AND PUBLIC ADMINISTRATION COMMITTEE

01 September 2025

Introduction

Social Work Scotland is the professional body for social work leaders in local government and wider care sector. We exist to shape policy and practice, in order to improve the quality and experience of social services in every part of Scotland. Chief among our members' priorities is delivery of the Promise, and taking advantage of this unique political opportunity, secured by children and young people's voices, to transform how we support families and keep safe those at risk of harm. For social workers, delivery of the Promise is not a narrow concern; it is central to realising our collective national ambitions to reduce child poverty, close the educational attainment gap, and improve the population's health and wellbeing.

We therefore welcome all opportunities to make progress on the Promise and are grateful for this invitation to inform the Committee's scrutiny of the Financial Memorandum accompanying the Children (Care, Care Experience and Services Planning) (Scotland) Bill (from herein "the Bill"). In developing this submission, we have engaged widely with our membership, including the thirty-two local authority Chief Social Work Officers, service and team managers, and social workers directly involved in the delivery of services to children and adults. This represents a cross-section of a social work workforce - across local government, integrated partnerships, and the voluntary sectors - who are central to successful delivery of the Promise, and who will be responsible for translating the Bill's provisions into reality. They are also individuals who oversee budgets associated with relevant services, and who therefore understand the costs and broader financial realities.

Q1: Did you take part in any consultation exercise preceding the Bill and, if so, did you comment on the financial assumptions made?

Social Work Scotland provided responses to all of the Scottish Government consultations which informed development of the Bill (e.g. children's hearing redesign, moving on, future of foster care, etc.). Many of our members did also. In none of these consultations were the Scottish Government's financial assumptions set out for comment.

Although it is disappointing not to have a formal route for informing or feeding back on the financial modelling which underpin policy, the absence of financial assumptions in policy consultations is not altogether unusual. Ordinarily, in parallel to the policy development activity, Social Work Scotland members are involved by Scottish Government in developing cost models, providing information, agreeing assumptions, etc. With this Bill, apart from sections relating to reform of Children's Hearings, this has not happened. In our responses to the various consultations, we flagged this omission, and took frequent opportunities to emphasise with Scottish Government colleagues our willingness to support such work. Unfortunately, these offers were not taken up.

Subsequent to the Bill being published and presented for Committee scrutiny, Scottish Government officials have reached out to Social Work Scotland on the financial assumptions. The feedback we have provided is included in this response.

Q2: If applicable, do you believe your comments on the financial assumptions have been accurately reflected in the FM?

N/A

Q3: Did you have sufficient time to contribute to the consultation exercise?

As noted previously, there was no opportunity prior to the Bill's publication to comment on (or inform) the financial modelling which underpins it. We believe that, even taking into account the relatively late date at which consultations were run (in view of the parliamentary calendar), there was sufficient time for engagement on the financial memorandum. Indeed, considering how critical it is that a Bill's proposals are properly costed prior to parliamentary and stakeholder scrutiny, we believe that time should have been made for engagement around the financial memorandum. We know that our partners across local government would have engaged actively to provide the material Scottish Government needed.

Q4: If the Bill has any financial implications for you or your organisation, do you believe that they have been accurately reflected in the FM? If not, please provide details.

We do not believe that the cost implications for local government social work, and for local government in general, are accurately reflected in the financial memorandum. Specific feedback from our members is set out below, but please note that as we have contributed extensively to COSLA's submission we have kept our comments here brief.

Aftercare

- There is no provision in the Financial Memorandum made for delivery of 'advice, guidance and assistance' services, which may result from the assessment of need for aftercare provision. This is primarily in the form of social worker or other social work staff time. From our member's experience, this is often the most important aspect of the support we can provide young people; a relationship, and human source of support and guidance. And this is a role which is even more important if the financial support for young people is increased. The day-to-day realities of delivering 'aftercare' are often practical and relationship-based; for example, assistance in opening up a bank account or being alongside a young person in making decisions about how to furnish their accommodation. The financial memorandum makes no recognition of the human aspect of aftercare.
- The figures used to determine the costs of an assessment have been taken from material provided to Scottish Government by Social Work Scotland and Cosla for the Children's (Care and Justice) (Scotland) Act 2024, in relation to children's hearings. However, assessment for aftercare involves different processes than those related to preparation to Children's Hearings, and figures do not simply transfer across. They are also now two years out of date, and currently being updated as part of work to implement the remainder of the Children's (Care and Justice) (Scotland) Act 2024.
- 'Aftercare' support costs are based on a calculation undertaken more than 10 years ago. Moreover, it is a calculation which Social Work Scotland has consistently dismissed as poorly constructed and inaccurate, ever since debate around the Children and Young People (Scotland) Act 2014 was initiated. And even if the original calculation was robust, it is not sufficient to simply uprate with inflation. Not only was the 2014 Act designed to change practice, the world in which aftercare is delivered has changed significantly. Cost modelling needs to be updated from first principles, with current data.
- The £4,000 quoted as housing 'set up' costs are considered to be inadequate, and largely irrelevant at a time of a national housing emergency. The primary pressure facing local authorities and young people is access to housing, not the ability to furnish them.
- The financial memorandum notes that some estimates are based on engagement with stakeholders; we are not aware of which stakeholders these are. It does not include local authority organisations.

Lifelong advocacy

- It is unclear what the basic costs of providing lifelong advocacy are, and it is questionable whether the advocacy staff are out there to be employed. Also, if there is a big uptake of advocacy above the current baseline, what will be the related impact on wider areas of social work and social care provision? Social Work Scotland members have suggested that a pilot scheme would help build a better understanding of the costs and other implications, and would therefore a better national scheme in time.

Future of Fostering

- Financial Memorandum notes that costs are based on indicative modelling and available sectoral data; we are not aware of what data has been used, and have not seen or contributed to the modelling.
- The issue is primarily the availability of carers. Costs is a material matter, but we do not have enough carers. The FM (and wider Bill) does not sufficiently acknowledge this reality. The fostering model will likely require a fundamental adjustment over the next decade, requiring significant and sustained investment (over and above day-to-day spending).

Independent Fostering Agencies

- Our members agree in principle that Independent Fostering Agencies should be registered as charities. However, with a view to the Competition and Market Authority's relevant report, they are not convinced that this will change the costs of placements. Some believe it may lead to increases, as the costs of being a charity (with added requirements about governance, etc.) will be passed on.

Fostering Register

- There are worries about the potentially disproportionate time and effort required to keep a register up to date given the daily changes – and related staff and financial costs.
- Whether the register would contain only current carers, or also those being assessed, or deregistered. There are various benefits and disbenefits to either approach, and the costs of any register would differ considerably depending on which option is chosen. There are also costs associated with who hosts a fostering register. This illustrates the importance of Scottish Government working out the policy details first, then returning to parliament with thought through proposals.

Children's Hearings

- The Financial Memorandum suggests that there will be no costs for local government, however any changes in the system will likely have impact on social work role.

Q5: Do you consider that the estimated costs and savings set out in the FM are reasonable and accurate?

No. Where costs and savings are set out, they are not based on information we endorse, being either redundant or out of date. In other sections of the Bill there is no substantive policy yet to be costed. The financial memorandum is therefore insufficient to enable proper scrutiny of plans, and to determine whether they represent value for money. We will take this opportunity to note again that, while Scottish Government Bill teams ordinarily make an effort to work with Social Work Scotland, COSLA and other bodies to construct financial memoranda, in the preparation of this Bill no requests were received for information, or

invitations issued to collaborate on costing and model. The weakness of the current financial memorandum reflects this, and it imperils the viability of the Bill as a whole, as a vehicle for delivering change. The importance of properly costing proposals, and making available the funding needed, was raised repeatedly by our members. As is the need for investment in existing services, to ensure that existing duties can be met.

Q6: If applicable, are you content that your organisation can meet any financial costs that it might incur as a result of the Bill? If not, how do you think these costs should be met?

Although this question is not directly applicable to Social Work Scotland, our local authority members are unanimous in their view that the financial costs associated with the Bill have been underestimated. Commencement of the provisions (with the funding detailed in the current FM) would result in existing funding being reallocated, impacting on current services for children and families. This view is informed through experience of many previous rounds of legislation, which increased duties and expectations without adequately increasing resources. The current fragility of the workforce, with workloads increasing but the number of children and families social workers declining, is an outcome of this trend.

Q7: Does the FM accurately reflect the margins of uncertainty associated with the Bill's estimated costs and with the timescales over which they would be expected to arise?

No

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