

Submitted to Becoming a fair work nation
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Ministerial Foreword

What is Fair Work?

Questions - Fair Work in your sector - Opportunities

1 What is the main sector you work in or represent?

Please select your main sector:
Human health and social work activities

2 What are the main opportunities for adopting fair work practices in your sector?

Please explain your answer:

The Scottish Association of Social Work (SASW) is part of the British Association of Social Workers (BASW UK), the largest professional body for social workers in the UK. BASW UK has more than 22,000 members employed in frontline, management, academic and research positions in all care settings. There are over 10,000 registered social workers in Scotland around 1,500 of whom are SASW members. This comprises staff working in local government and the independent sector, across health and social care, education, children and families, justice services, as well as a growing number of independent practitioners.

It is important to understand they are entirely different professions. Social care is the practical support and assistance provided by social care workers and usually takes the form of personal care, practical support with everyday activities or social support. Social work provides assessment and care management functions, statutory interventions where necessary in peoples' lives and social workers use their skills and training to make use of themselves in a therapeutic relationship with people who need their help. It is with this distinction we provide SASW's response. When referring to both social work and social care, we suggest "social services" is the best term.

SASW's key aims are:

- Improved professional support, recognition, and rights at work for social workers
- Better social work for the benefit of people who need our services and,
- A fairer society

BASW UK has published its visions for adults' (1) and children's (2) services in 2021. Both documents are based on principles of human rights, early support, consistent resource and being led by people themselves. These principles are consistent with those reflected in the Fair Work Convention Measurement Framework.

SASW also recognises the growing evidence base between poverty, child abuse and neglect and between levels of poverty and children's increased chances of formal state intervention (3,4,5). Social workers work closely with children and families experiencing the impacts of poverty. They do this on several preventative levels but where formal intervention is necessary, they have a legal duty to do so. As increasing numbers of families live in poverty increasing demands are placed on social workers. Children in the most deprived 10% of UK neighbourhoods are over 10 times more likely to be in out of home care than children in the 10% least deprived localities (6). Deprivation is the largest contributory factor in children's chances of being looked after by the state (7). Poverty has catastrophic consequences for children and young people greatly reducing their life chances.

SASW is committed to Fair Work and seeks to support policy that reduces poverty. We have adopted fair work practices in our organisation with all staff engaged in this way. Within SASW this practice is reflected in recruitment processes, rates of pay, terms and conditions and flexible working arrangements. Within the sector we take opportunities to promote fair work practices through our participation in steering groups, working groups and other activities where workforce issues feature. We engage in a range of workforce and related activities alongside partner organisations such as Social Work Scotland, the Scottish Social Services Council, the Office of the Chief Social Work Advisor, and a range of independent and third sector organisations and social care providers.

The main opportunities for adopting fair work practices in our sector fall into three areas. These are the social workers employed in the social work profession, staff employed within the social care workforce and the organisations with whom we contract for the provision of social care services. All aspects of recruitment, employment and retention as well as contracting and commissioning should be a focus of fair work practices.

(1) A Vision for Social Work: Adults (basw.co.uk), Feb 2021

(2) A Vision for Social Work: Children and Families (basw.co.uk), Feb 2021

(3) Beddoe, L. and Keddell, E. (2016) Informed outrage: tackling shame and stigma in poverty education in social work. *Ethics and Social Welfare*. 10(2): 149-162

(4) erger, L. M. and Waldfogel, J. (2011) Economic determinants and consequences of child maltreatment' OECD Social, Employment and Migration. Working Papers No. 111. Washington: OECD Publishing

(4) Bywaters, P., Bunting, L., Davidson, G., Hanratty, J., Mason, W., McCartan, S. & Steils, N. (2016) The relationship between poverty, child abuse and neglect: a rapid evidence review London: Joseph Rowntree Foundation

(5) Pelton, L. H. (2015) 'The continuing role of material factors in child maltreatment and placement'. *Child Abuse & Neglect*, 41, 30-39.

(6) Morris, K., White, S. Doherty, P. and Warwick, L. (2015) Out of time: theorising family in social work practice. *Child and Family Social Work*. doi: 10.1111/cfs.12257

(7) CWIP (2017) Identifying and Understanding Inequalities in Child Welfare Intervention Rates: comparative studies in four UK countries. Briefing Paper 2:

3 Please explain how you think these opportunities can be maximised in your sector?

Please explain your answer:

The opportunities for fair work practices can be maximised in the social work profession by:

- Recognising the unique contribution of social work as a profession and the value of what it brings to people who need support and its contribution to anti-poverty work
- Undertaking recruitment drives to encourage more people from diverse backgrounds into the profession.
- Providing strong social work leadership with status commensurate with health leaders within the structures of health and social care integration.
- Appropriately staffing social work teams with the correct mix of social work skills.
- Providing adequate funding to cover sickness absence in social work teams.
- Committing to filling vacant posts and avoiding 'drag' on vacancies for savings purposes.
- Identifying and protecting time for professional supervision.
- Building opportunities for continuous professional learning into the social workers' workload/work time.
- Offering a range of career paths for social workers who don't want management roles.
- Creating opportunities for advanced practice with remuneration.
- Achieving national agreement on parameters for caseload numbers for staff to have manageable workloads.
- Encouraging employers to value and promote the taking of breaks and lunch breaks.
- Offering flexible working arrangements for social workers that reflect hybrid working arrangements where employees wish that option.
- Recognising that the women make up the biggest proportion of the social worker workforce and research confirms women still carry the greatest portion of carer/family responsibilities. Family friendly policies should be available and support for the health and wellbeing of women should also be promoted.
- Promoting diversity in the workplace and dealing effectively with issues of racism, homophobia, xenophobia, discrimination, and prejudice.
- Delivering a national framework for pay, terms and conditions consistent with that in other public services such as teaching, nursing and in the police service.

SASW believes eradicating poverty is possible and failure to do so is a result of political choice. We support policies that tackle poverty and addresses in work poverty. The opportunities for fair work practices can be maximised in the social care profession by:

- Recognising and valuing the skill of social care workers.
- Undertaking recruitment drives to encourage more people from diverse backgrounds into the profession.
- Positively promoting social care as a valued career choice.
- Developing a framework for remuneration linked to complexity of task and the management of risk.
- Increasing contract values for social care to ensure provider organisations and third sector partners can employ people at £15 per hour rate.
- Increasing the hourly rate for social care staff from the current £10.02 per hour to a minimum wage of £15 per hour.
- Ensure all social care staff are paid for their travelling time and travelling costs when travelling between people when supporting multiple people in a day and this is built into contract values.
- Ensure all social care staff have paid holidays, entitlement to public holidays or additional payment in lieu when required to work. This should be built into contract values.
- Ensure staff have access to paid sick leave. Costs for this should be built into contract values.
- Creating career pathways for social care workers who may wish to develop their skills and take up more senior posts in the LA, the community, in the NHS or train as nurses, social workers or other related professions.
- Recognising and remunerating complex care skills and advanced social care practice as an alternative to promotion to management roles.
- Delivering on the commitment to support PAs* by recognising their valuable contribution to the workforce and levelling up their pay and terms and conditions to be consistent with other social care workers.
- Including PAs in opportunities for training, development and access to career pathways.

*(personal assistants are people who assist individuals to live independently. They are usually employed by the individual through a budget allocated by the local authority). Some PAs are self-employed and used by people micro-commissioning their own support arrangements.

Questions - Fair Work in your sector - Challenges

4 What are the main challenges to adopting fair work practices in your sector?

Please write your answer here:

Social care has been seriously underfunded for many years and to address this requires substantial investment. The 25% increase in funding promised through the National Care Service consultation will fall short of the required amount to do this effectively.

- The main challenges to adopting fair work practices in social work are: The lack of investment in social work and the impact of austerity over a prolonged period.
- Staff shortages and substantially increased demands on remaining staff.
- Social work staff have continued to work right through the pandemic and are exhausted, stressed and continue to work in difficult circumstances.
- 32 local authorities with different terms, conditions and remuneration competing for social workers.
- The lack of mental health officers putting significant workload pressures on those in post.
- The lack of respect for social work profession amongst other professionals and peddling of negativity and blame by the media. This affects trust and undermines the skilful work of social workers.

- The loss of professional social work identity in health and social care integration with health being the more dominant partner due to size and scale.
- Eligibility criteria and high thresholds for accessing social work and social care services that turns away people who need support to come back when they are in crisis.
- Complaints made about social workers by people refused support when the issue is resource decisions made by managers that social workers have no control over.
- Social workers unable to use all their skills because the focus is on crisis intervention and statutory protection duties with no priority given to early intervention and preventative work.
- The low morale and stress experienced by social workers contributing to many leaving the profession.

The main challenges to adopting fair work practices in social care are:

- The lack of investment in social care and the impact of austerity over a prolonged period.
- The lack of respect for social care workers.
- Low pay and poor working conditions with few rights recognised.
- Staff shortages and substantially increased demands on remaining staff.
- Opportunities for better pay, improved terms and conditions in less demanding jobs elsewhere.
- The significant range of contracts among a vast array of social care organisations – no consistency of costs, quality, terms and conditions or remuneration for staff.
- Some aspects of the social care market are driven by commercial interests that may not always be compatible with quality care and principles of personalisation and individual control.
- Limited commitment to ethical commissioning practice for all contracts tendered/awarded by local authorities, the NHS and other public services.
- Fair work practices for recruitment, employment, and retention are not currently a requirement of the contracts.
- Monitoring these contracts effectively to ensure staff experience is consistent with implementation of fair work practices.
- The greater weighting given to cost as opposed to quality or employee rights in procuring social care services.

5 Please explain how you think these challenges might be overcome, including your ideas on any specific interventions and support needed in your sector?

Please write your answer here:

Some of these challenges can be overcome by:

- Investing in the social work profession and in all aspects of social care.
- Developing new and alternative models of commissioning and procuring services.
- Investing in commissioning arrangements based on collaboration and not competition.
- Committing to ethical commissioning practice for all contracts tendered/awarded by local authorities, the NHS and other public services.
- Increasing contract values to allow for the cost of fair work practices that reflect improved pay and better terms and conditions.
- Making fair work practice for recruitment and employment a requirement of contracts.
- Monitoring these contracts effectively to ensure staff experience is consistent with implementation of fair work practices.
- Requiring fair work/family friendly policies that offer flexibility as part of tender processes.
- Do not engage with zero-hour contracts but rather support flexible working arrangements and contracts that honour employee rights

Questions - Fair Work in the current economic context

6 What do you believe are the barriers to delivering Fair Work given the current economic challenges in Scotland?

Please write your answer here:

The lack of funding can always be used to argue against improvements, but SASW believes political choices are made that prioritise other policy areas over tackling in work poverty or funding fair work practices as a whole.

SASW believes the barriers for delivering fair work given the current economic challenges in Scotland include:

- Prioritising other policy areas over fair work principles.
- The commercial interests by some provider organisations.
- Traditional models of procuring social care services that place most value on price not quality which drives down prices resulting in poor staff remuneration and terms and conditions.
- The use of zero hours contracts which maximises profit but exploits employees denying job security, stable incomes and very limited employment rights.

7 What do you believe are the opportunities for delivering Fair Work in the current economic climate in Scotland?

Please write your answer here:

- The development of the new National Care Service creates opportunities to revisit the current working arrangements of both social workers and social care workers.
- Many of the issues mentioned above could be addressed and improvements made to employment practices and terms and conditions.
- A new social work agency could raise the profile of the social work profession and ensure the consistent delivery of excellent social work services within working environments conducive to the complexity of the social worker role.
- The new National Care Service could drive change in commissioning and procurement practices.

Questions - Further actions to deliver Fair Work

8 Please set out any further actions you think the Scottish Government should take to deliver fair work for everyone. This may include, for example, any further support you think is needed.

Please set out below any further actions actions you think are needed to deliver fair work for everyone, including who you think should take this action. This may include, for example, strengthening of current actions or any further support you think is needed.:

The Scottish Government should:

- Explore shorter working weeks and promote better work life balance.
- Ensure improved automation benefits employees and not just shareholders.
- Increase the living wage to a minimum of £15 per hour.
- Further trial the universal basic income approach.

9 Please set out any other actions you think are required to deliver Fair Work for everyone, including who should take this action.

Please set out below any other actions you think are required to deliver Fair Work for everyone, including who should take this action:

- The relationship between work and related welfare benefits should not be punitive.

Questions - Fair Work and employment powers

10 If Scotland had full control over employment law, which issues would you like to see addressed as a priority in order to deliver fairer work in Scotland?

Please write your answer here:

- Related to employment - Scotland needs a progressive taxation system to address inequality and collective responsibility for the wellbeing of all citizens.
- Use employment law to eradicate poverty and tackle inequality.
- A minimum income guarantee for all citizens.
- An end to the inequality of payment to workers based on age.
- Ban zero hours contracts that exploit workers and deny them rights.
- Increased opportunities for apprenticeships and other work opportunities for people furthest from the job market that meet minimum income guarantees.
- Create fairer workplaces

Questions - further ideas

11 What is the most important thing that you or your organisation can do to help Scotland become a Fair Work Nation?

Please write your answer here:

In line with SASW's key aims we will continue to work towards improving professional support for social workers and increase recognition for the skills they have and the valuable contribution they make to people who need support. We will continue to champion social workers' rights and for better social work for the benefit of people who need our services and for a fairer society for all citizens.

12 Please use the box below to tell us about anything else relevant to Scotland becoming a Fair Work Nation and any further ideas you might have on the action that will be needed to achieve this.

Please use the box below to tell us about anything else relevant to Scotland becoming a Fair Work Nation and any further ideas you might have on the action that will be needed to achieve this. :

About you

13 What is your name?

Name:

Anne-Marie Monaghan

14 What is your email address?

Email:

Anne-Marie.Monaghan@basw.co.uk

15 Are you responding as an individual or an organisation?

Organisation

16 What is your organisation?

Organisation:

The Scottish Association for Social Work

17 The Scottish Government would like your permission to publish your consultation response. Please indicate your publishing preference:

Publish response only (without name)

18 We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

Yes

19 I confirm that I have read the privacy policy and consent to the data I provide being used as set out in the policy.

I consent

Evaluation

20 Please help us improve our consultations by answering the questions below. (Responses to the evaluation will not be published.)

Matrix 1 - How satisfied were you with this consultation?:

Very satisfied

Please enter comments here.:

Matrix 1 - How would you rate your satisfaction with using this platform (Citizen Space) to respond to this consultation?:

Very satisfied

Please enter comments here.: