

PROPOSED RESTRUCTURE OF LOCAL GOVERNMENT AND SOCIAL CARE

Introduction

A complete restructure of local government has been announced including major changes for social care – but with very few details. This briefing for UNISON local government members tells you what we know (and don't know) so far.

UNISON is clear that the workforce cannot be an afterthought in this. We are seeking meetings with decisionmakers to make sure your voices are central to the discussion. UNISON Scotland's convenor Mark Ferguson and local government chair, Susanne Gens published a statement for members on 22 September, as soon as the plans were announced. If you haven't already seen it, you can read it here.

Our biggest concern is that this huge upheaval has been announced as part of a cuts agenda. The government has targets to cut 20,000 jobs by 2031 and £1.7 billion from budgets by 2029 through public sector reform. Local government is expected to play its part in this, despite having already lost tens of thousands of jobs. 'Rationalisation' and "reducing backroom duplication" is a key aim of the restructure. This is not the right way or the right environment in which to make important decisions about the future of local government and social care which we will have to live with for a long time.

We also don't think this is the right time. Services are under severe pressure and have been for a long time. Many services are still struggling with the longer-term consequences of the covid pandemic restrictions combined with inflation, growing poverty due to cost-of-living pressures, the housing shortage, and demographic change, all driving demand for local services. We know from experience that a local government restructure diverts attention for years. The risks of introducing a major resource-intensive disruption to a system already under severe pressure, particularly on staffing, must be carefully assessed.

Overview

The government wants to drive this through at speed. An extremely short 3-month consultation began on 2 September (see here) and ends on 30 November. The government wants agreement before the Scottish budget, due on 3 December. The plan is to introduce a bill this year (2026/27) to take forward this reform, with a council tax bill introducing new council tax bands for high value properties to follow in 2028. Decisions on the future of social care, currently a local authority responsibility, and a huge matter on its own, are part of this discussion. The government wants social care to be led in future by the NHS (as adult social care is already in Highland) which has major implications for the council social work and care workforce.

On 21 September, the government made public for the first time its intention for a complete restructure. What is striking about the proposals is what they do not say. There is no meaningful detail on the local government workforce, or the role of trade unions and ministers have failed to properly answer questions about this in parliament.

What we know about the proposal

- The 32 councils would be replaced by a two-tier structure of 6-10 regional authorities and between 120 – 160 community authorities.
- Islands would have their own arrangements, with single authority models still the intention.
- Councillors would sit on **both** the regional *and* community authorities at the same time.
- Ward boundaries would remain the same.
- The intention is for the local council elections to still go ahead next year based on these.

Regional authorities (6-10)

- Services suggested as sitting here are regional economic development, business support, skills, employability, housing, planning, environmental services (waste, cleansing), civil defence, regulatory services, early learning & education, and possibly, social work (FM, Radio Scotland, 2/9/26)
- Regional Transport Partnerships, and some functions of Transport Scotland could transfer in plus functions from some other public bodies related to the services above.
- The regional authorities would be the 'corporate' bodies and would devolve or delegate functions to the smaller community authorities.

Community authorities (120 – 160)

- These would sit within the borders of regional authorities with the aim of having 'burgh/county/town/district/island' authorities based on identifiable communities.
- Services suggested as sitting here: "some elements" of education, "the planning, commissioning & delivery of community-based support, including Whole Family Support," local leisure, sport and culture facilities, householder planning applications, community planning, licensing decisions, managing historic environment, open space, greenspace, local town regeneration.
- They would not have their own administrative/corporate functions but be supported by the regional authorities.

20 things we do not know yet

1. The aims of the restructure, and exact reasons for the timing.
2. The evidence behind the proposals.
3. The geographical boundaries of the new authorities.
4. Who the future employer will be: the regional or community authorities or both.
5. Whether both tiers of local government will be independent legal entities.
6. Whether powers and resources will be devolved from national to local government.
7. Whether powers and functions removed from local government over the years will be returned.
8. The relationship between regional authorities and their constituent community authorities and how will this work in practice.
9. The balance of statutory duties, powers and responsibilities, and at which level decision-making should sit for different functions, at regional or community level. This is a crucial question that requires a solid assessment of evidence.
10. Which NDPBs and/or partnerships are likely to be subsumed within the regional authorities.
11. Whether professional registrations or PVGs would need to be re-applied for, for a new employer and how long this would take.
12. The feasibility of councillors serving on both regional and community authorities at the same time.

13. The status of the Wilson review which proposes removing councils' role as local education authorities.
14. The cost of the restructure, who would pay for it and how long it would take.
15. The estimated savings from the restructure and when would these be achieved.

Social Care – the proposal is the NHS will become the lead body

16. How 'social care' is defined by the government, whether the NHS would be the lead body for the whole social services system, how this fits with the new National Social Work Agency, and if not where the lines would be drawn.
17. Whether council social care staff will move onto Agenda for Change conditions if the NHS takes the lead.
18. Where responsibility for social care commissioning and procurement would sit.
19. The future of Integration Authorities - Integration Joint Boards and the Health and Social Care Partnerships, which are not mentioned in the proposal.
20. Whether the introduction of sectoral bargaining for outsourced social care will be affected if social care becomes an NHS responsibility.

Our response

UNISON wants to engage constructively about local government reform. However, we are concerned about the approach being taken, particularly the three-month timescale, the linking of wholescale local government reform to the budget process and the absence of a transparent process with which to engage.

We are concerned that this looks like centralisation rather than devolution. The proposal reduces the number of councils from 32 to between 6-10 and gives the smaller community authorities the appearance of area committees. Decision-making over most services, including those with the largest budgets, will become more distant from those affected.

There are even fewer details available about the intentions for social care. It is a huge concern that following several years and £29m spent on the failed national care service proposal, such a complex area as social care is being squeezed into the same 3-month consultation, and with no involvement or engagement with the workforce. Meanwhile the plans for social work are entirely unclear. For members who work in health & social care partnerships – it appears from this proposal that IJBs and HSPCs would not exist.

UNISON believes social care and social work belong in councils. These are essential local services which require integration with other community services and therefore planned and delivered by and through local authorities, and this is especially critical for rural and island communities. Our local government representatives who sit on IJBs regard integration authorities as a failed structural reform which has weakened local accountability and transparency for essential community services, complicated the landscape and increased costs and complexity. UNISON's vision for a national care service would empower care users and restore and strengthen local democratic control of social services.

The right starting point

The main problems in local government now are chronic underfunding and under staffing and not structures. Rearranging the chairs will not improve things.

The proper starting point for reform should be service improvement; improving service experience and outcomes for service users, and increasing participation and accountability to service users, communities, and staff. This is best achieved from the bottom up.

Reorganising local government has significant upfront costs and should be countenanced in a context of investment, not cuts. Reform of local government finance is an immediate priority. Any plan for local government reform must be accompanied by a plan for investment.

Council services are delivered by people and for any reform to be successful workforce considerations must be central to proposals and not an afterthought. This includes workforce planning: what size and shape of workforce is needed to deliver the necessary local services and meet both current and projected demand including unmet need?

The way forward – our proposal

We believe there are some essential preconditions for meaningful engagement, which we set out here. We think the process should be *paused now* to enable consensus-building around these points and to plan for these pre-requisites to be put in place.

Essential pre-conditions:

1. For trust and confidence there must be a clearly defined transparent structured process for engagement with a realistic timescale.
2. Consensus around some clearly specified aims which should include the improvement of services and the improvement/strengthening of local democracy and accountability.
3. The development of a clear evidence-base for how proposals will deliver on aims and objectives.
4. A restructure on this scale must be accompanied by the reform of local government finance. It is essential that the two are taken forward together. There must be a sensible conversation about what services we need and how to pay for them.
5. An assessment of current and projected need and demand for local services and workforce planning to meet these so that the new structures have the correct staffing complement to deliver improved services.
6. An assessment of the upfront costs of local government reorganisation and how these will be paid for.

Actions for Branches

- **Communicate with members to ensure they are informed about the government proposals for local government and social care & the wider public sector reform strategy.**
- **Engage with all staff on the importance of trade union membership – there has never been a more important time to be a member of UNISON!**
- **All UNISON members should ensure that their contact details are up to date, and their myUNISON member portal is activated!**

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