

June 2022

Scottish Social Services Council – A Register for the Future

In early 2022 the SSSC consulted on some proposed changes to registration and qualifications. UNISON's response to the SSSC consultation is available [here](#).

The proposals affect UNISON members who are part of the regulated workforce in Early Learning & Child Care, social work, social care and housing support, as well as our members within the SSSC itself. This briefing summarises the proposals consulted on and the results of the consultation exercise.

The proposals include:

- Raising the required qualification level for adult social care;
- Reducing the timescale for gaining qualifications;
- Reducing the Register to five parts;
- Reducing the timescale for applying to be registered;
- Publishing more public facing information about registrants online, including about fitness to practice;
- Introducing return to practice standards for social workers.
- Introducing a standard for mandatory induction training for social care workers.

The consultation closed on 14 March and the SSSC Council discussed [the findings](#) at its meeting in May. Analysis of the 6,500 responses shows broad agreement with most of the proposals. However significant concerns were expressed about the proposed changes to the required qualification level for adult social care, and about increasing public facing information about registrants, including fitness to practice decisions.

As a result the SSSC intends to carry out further engagement over Summer 2022 to better understand the specific concerns. Final options will be presented to the SSSC Council for decision in **November 2022**.

Consultation results

The briefing focuses on the two most contentious changes proposed.

Raising the qualification level for adult social care

The SSSC proposes the required qualification level be increased from SCQF 6 to SCQF 7. This applies to care at home and housing support workers.

- Overall 59% agreed with the proposal: support was lowest amongst employers (54%) and highest amongst registrants/individuals (61%).
- 63% thought it would have a negative impact on equality/equality issues. The types of issues raised were: discriminatory impact on older care workers, those with caring

responsibilities, or other barriers to learning. Respondents pointed out it would create a discrepancy with workers in residential care, a two-tier workforce, and hinder the aim of encouraging more movement between and across areas of social care.

- 37% said it would make it more difficult to recruit staff/36% thought it would make it easier.

UNISON's response pointed out that if there is an intensification of the training obligation on workers, with no increase in pay, this will undermine sector recruitment, drive turnover and reduce both that capacity and quality of care as a whole. We said in any other profession, raised qualifications are linked to grading, pay and reward. If there was a parallel obligation on employers to increase pay, the effect on recruitment and retention would be positive. In the absence of this, we anticipate the proposal will create significant salary issues, have a substantial equal pay impact and exacerbate existing problems around lack of pay differentials. The consultation report suggests these views are widely shared.

Reducing the timescale for gaining qualifications

The proposal is to reduce the timescale from 5 to 3 years for people to complete the required qualifications for their role.

- 50% of respondents said this would make it more difficult for people to complete the qualification on time.
- 61% said it would have a negative impact on equality/equality issues.
- 59% said it would have a negative impact on other areas, e.g. recruitment, diversifying the workforce.

UNISON's response said that this will simply intensify a pre-existing workforce development problem. Employers struggle to fill care shifts today, increasing the need to release staff for training is only realistic if the change is matched by investment and support for staff. Otherwise, high turnover and staff shortages make it increasingly difficult to drive up care standards through training, qualifications and regulation.

Sharing of personal data on the online Public Register

The proposal is to increase the amount of information about registrants online, with this being publicly visible alongside the registrant's name.

- 55% agreed with fitness to practice warnings & conditions being shown alongside registrant's name (45% disagreed);
- 61% agreed with additional practice qualifications & awards being publicly visible (38% disagreed);
- 16% agreed with other personal data being shown publicly (84% disagreed).
- 62% thought this proposal would have a negative impact on equality/equalities issues (18% thought it would be positive, remainder neutral).

UNISON's response raised concerns about the efficacy and legality of publicly sharing a wider range of personal data about registrants. We are particularly opposed to the proposal to make Fitness to Practice and/or conditions placed on practice publicly visible *alongside the registrant's name* on the Register. In our view this is punitive, unnecessary, and unjustified. We pointed out that registrants have GDPR rights underpinned by the ECHR right to enjoy privacy. We repeated our longstanding calls for reform of SSSC's Fitness to Practice work and regretted that this area was not included in the consultation.

Return to practice standards for social workers

This relates to social workers who have come off the Register for over 2 years and want to rejoin the workforce, and for social workers who have not practiced in Scotland within the last 2 years (or longer). The proposal is they will need to evidence how they have met a Continuous Professional Learning requirement, which will be developed by the SSSC.

- 86% supported a return to practice process for social workers (14% did not)
- 79% support introduction of a similar process for other Register groups.
- 69% thought the proposal could have a negative impact on or for equality issues.

UNISON's response raised the need for a more detailed explanation of the proposal so that the implications for members could be assessed. It raised queries around the requirement to demonstrate evidence of CPD, and how the SSSC would support individuals to achieve that.

Shortening the timescale for new starts to register

The proposal is to reduce this from six to three months.

- 78% agreed 3 months was an appropriate timescale to require workers to apply for registration (22% disagreed)
- 73% thought this change would have a negative impact for equality/equality issues.

UNISON's response highlighted the equalities impact for low paid workers and suggested the likely outcome would be to shift the existing administrative logjam to the 3 month rather than the 6-month point.

Reducing the Parts of the Register

The proposal is to reduce the Register to five parts.

- 88% agreed that this would be an improvement.

UNISON's response agreed that a smaller list of broader groupings has advantages and will benefit members who move between different jobs or are promoted, as well as those who hold multiple part time contracts. It will place an additional burden on SSSC's own staff during the transition stage and that requires recognition and resourcing.

Conclusion

As a key stakeholder UNISON will be engaging with the SSSC as it works through the issues raised by the consultation. We will continue to make the case for greater investment in service quality, job quality, working conditions and career development. Without this these well-intentioned proposals are likely to have a marginal effect on the crisis and challenges faced by regulated occupations.

For further information please contact s.galloway@unison.co.uk

