

October 2023

Scottish Social Services Council – Consultation on Proposed Register Changes

Call for Views

This consultation is about 3 proposed changes to the Register. The changes 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 sets out the proposed changes and asks for your views to feed into UNISON Scotland's national response. Full details of the changes are available to read in the consultation document [here](#).

Your feedback is needed by Monday 6 November.

Background

The current consultation is the end of a process. These changes to the Register were part of a wider consultation held last year by the SSSC in which UNISON took part.

- Our response to the last consultation is available [here](#).
- The consultation findings are reported in a briefing [here](#).

The SSSC Council has considered the findings, carried out further engagement, and has made its decisions. **This is a final consultation before the changes go ahead.**

The changes proposed to the Register are:

- To reduce the Register to 4 parts.
- To reduce the timescale for applying to be registered from 6 to 3 months.
- To make changes to the searchable Public Facing Register including making fitness to practice warnings & sanctions visible next to the individual's name.

1. Reducing the Register to Four Parts (from 23)

The four parts are likely to be: social workers, social work students, social care workforce, and children & young people's workforce.

Streamlining the Register will reduce the need for people to be registered on multiple parts and will also make the process of getting promoted or changing service an easier or less laborious process.

There will also be administrative cost efficiencies to the SSSC through an increase in self-service and automation of the Register.

In the previous consultation UNISON recognised the benefits to be gained from streamlining the Register but said this places a new and additional burden on SSSC staff during the transition phase that requires recognition and resourcing. We asked for clarification that social workers in children's residential childcare be registered under the Social Work Part of the Register.

2. Timescales for applicants

To improve public protection, it will be a mandatory requirement to apply to register within 3 months of starting employment.

Previously UNISON raised concerns about the impact of this change on low paid social care workers, said our preference was for employers to be responsible for the registration fee, and suggested a compromise might be for the fee to be payable at the end of the application process. We thought the administrative logjam associated with the 6-month point is likely to shift to the earlier deadline. We also proposed that the benefits of trade union membership should be promoted by the SSSC to registrants at the point at which workers join the Register.

3. Changes to the Public Facing Register

The information it is proposed to make public is the following:

- The level of role at which a worker is operating.
- Whether the worker has the qualification for their role. This will initially show certain specialist qualifications with the intention to expand this in future.
- Whether there is a fitness to practice warning and/or condition - any live sanctions in place will be visible on the searchable Public Facing Register next to workers' names.

Previously UNISON 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.

For Action

This is the final opportunity to influence these proposals. Your feedback is needed **by Monday 6 November**. Please send direct to s.galloway@unison.co.uk

For further information please contact

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