

National Care Service

Social work in Scotland: Contextual paper



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This paper describes the current status of social work in Scotland. It is part of a collection of papers, setting out key information about social care and related areas in Scotland linked to the development of the National Care Service.

Key points

- The social worker title is protected. Before practicing as a social worker you must pass a qualifying course and register with the Scottish Social Services Council (SSSC). At 2021 there were 10,987 social workers registered with the SSSC. Of these, 6235 work in local authorities.
- Social work is a unique profession that takes a holistic view of the person and, through relationship-based practice, has a role to play in reducing health inequalities, ensuring public protection, promoting social justice, upholding human rights and in challenging discrimination. Social workers seek to build relationships with people through which they can better understand the individual or families' circumstances and needs, and then through continued engagement and advocacy, secure for those individuals and families supports to live the lives they want to live.
- Social workers have a key role in protecting human rights. However, the statutory responsibility placed on social workers can create the circumstances where an individual's liberty may be restricted. Social workers are duty bound to challenge practice and structures which are not consistent with equity, equality, and human rights.
- Functionally, social work in Scotland is delivered through three strands (specialisms): Justice, Children's and Adults. However, people's lives do not sit neatly in such strands, and the holistic approach of social work acknowledges, for example, that an adult with support needs may also be part of a family with children, on whom the adult's support needs will have an impact. Or an individual might be moving out of childhood into adulthood, navigating the transition between the 'child / adult' structures of many public services. Or an individual might be serving a Community Order following an offence, requiring the supervision of a social worker, but at the same time they have other needs which require support, such as housing, substance use, parenting, etc. People's lives are complex, and social workers are the professionals designated to work with that complexity.
- On 20 June 2022 the National Care Service (Scotland) Bill was introduced to parliament, its primary objective being to improve the quality and consistency of social services in Scotland. Within, there is a coherent case for realigning social work professional practice with an early intervention and prevention agenda, building on policy intent and universally supported within the Independent Review of Adult Social Care in Scotland (Feeley 2021) and The Promise.

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1. Introduction

The intention of this paper is to describe the current status of social work in Scotland. It is part of a collection of papers, setting out key information related to the development of the National Care Service (see Annex 1). The collection includes evidence papers on [Children's Social Services](#) and [Justice Social Work](#) in Scotland, which provide much of the data referenced in this report.

This paper will articulate the important contributions from social workers and advocate for a transformation across the social work sector to ensure alignment of services with the underlying principles and values, skills and knowledge social workers possess.

Given the right circumstances, social work can play a unique and crucial role in delivering a fairer, equitably and socially just Scotland. Social work, when enabled to do so, is focused on creating the circumstances for people's assets and strengths to be seen as opportunities and provides a foundation for systems ready to support those with vulnerabilities.

As a contextual paper it will set out the historical background of social work, as well as the existing structures and functions that impact on how social work is practiced and delivered.

While the focus of this paper is social work, there are intrinsic links with health and social care. In terms of the differences between social work and social care, social work is the statutorily prescribed role which involves assessing need, managing risk, and promoting and protecting the wellbeing of individuals and communities. Social care support is an umbrella term for adult, children's and justice services that directly support people to meet their personal outcomes. 'Social services' is a term which applies to social work and social care services together.

2. Background – Description of social work

“Social work is a practice-based profession and an academic discipline that promotes social change and development, social cohesion, and the empowerment and liberation of people. Principles of social justice, human rights, collective responsibility and respect for diversities are central to social work. Underpinned by theories of social work, social sciences, humanities and indigenous knowledges, social work engages people and structures to address life challenges and enhance wellbeing. The above definition may be amplified at national and/or regional levels.”¹

Social workers impact and influence the lives of people, families and carers; from pre-birth to end of life, across the entire age spectrum. The profession is regulated and the 'social worker' title is protected by law. The profession, underpinned by sound professional judgement, draws on a theoretical knowledge base derived from

¹ International Federation of Social Work (2014) [Global Definition of Social Work – International Federation of Social Workers \(ifsw.org\)](#)

social and psychological sciences. Social workers have a role in advocating for the rights of those in our communities who are experiencing the greatest needs, risks and vulnerabilities in their lives. Social work is a unique profession that takes a holistic view of the person and, through relationship-based practice, has a role to play in reducing health inequalities, ensuring public protection, promoting justice, upholding human rights and in challenging discrimination. Social workers contribute to and take a lead role in interdisciplinary working to help people realise their full potential. Social work works best when practitioners are embedded in communities and are able to influence change through both the formal and informal networks that exist.

The Changing Lives: Report of the 21st Century Social Work Review (Scottish Executive, 2006)² defined the social worker's task as one of working alongside people to help build resilience, maintain hope and optimism and develop their strengths and abilities. Through their relationships, social workers help people analyse where they are, work out where they want or need to be, and can be the catalyst for change. Social workers also influence policy makers to contribute to social and economic justice. In short, social workers aim to promote positive individual and societal change.

In Scotland the social work workforce plays a key role in the public protection agenda with the express aim of preventing harm to vulnerable groups within society, covering adult support and protection, child protection, domestic abuse and violence against women, offender management and drug and alcohol use. Public protection requires effective joint working between statutory and non-statutory agencies, with social workers frequently at the centre of this activity. The knowledge, skills and values of the profession ensure social workers are effective in collaborative arrangements. By extension, social work should be seen as a valued, equal partner within integrated settings. Social workers have a key role in protecting human rights, however, the statutory responsibility placed on social workers can create the circumstances where an individual's liberty may be restricted. Social workers are duty bound to challenge practice and structures which are not consistent with equity, equality, and human rights.

Social workers have a lead role in the identification, assessment, and protection of people at risk of abuse or neglect, or who become vulnerable for other reasons. Careful and complex decisions as to when and how there may be intervention in the lives of individuals and families are required. It is therefore important for the assurance of all involved that accountability for these decisions, and any subsequent exercise of statutory functions, lies with a registered social worker.

2.1 What social workers do and where

There are a diverse range of organisations that employ social workers, and the job descriptions for social workers vary greatly depending on where they work. Social workers can be found within a wide variety of employment settings. Specialisations often determine where and how they work. Some spend time in an office, although visiting individuals off-site is common. Social workers work in teams alongside

² Scottish Executive (2006) [Changing Lives: Report of the 21st Century Social Work Review](#)

paraprofessionals and support staff creating a skill mix that ensures that individuals receive support from practitioners with the right skills and experience. Some examples of places in which social workers may be based include:

- Local authorities and other government agencies, including national government.
- Schools (all levels, including higher education).
- Hospitals and healthcare settings.
- Community-based, voluntary sector organisations.
- Legal settings (courts, prisons, etc.).

The Role of the Registered Social Worker in Statutory Interventions: Guidance for local authorities (Scottish Government, 2010)³ focuses on the role of the registered social worker in formal settings. It does not explicitly constrain creative use of social work skills or joint working with other disciplines and agencies in early intervention and prevention. However, due to demand for services outweighing available resource and the use of eligibility criteria, early intervention and prevention may be seen as the first element to disappear from social workers' remits. The ambition of the National Care Service, to focus on preventative and anticipatory approaches, is an opportunity to ensure that social workers do not only work in crises, but in prevention alongside others in communities, in schools, in GP practices, in hospitals etc.

The identification and management of risk is a pivotal aspect of the social work role. The balance between the rights of the individual and the risk of harm play into all areas of social work practice. All of the legislative frameworks which apply to social workers are borne out of policies which seek to identify both individual and wider societal risk and put in place measures which reduce likelihood of harm.

There is a legal dimension to all of the work undertaken by social workers employed by the local authority. Social workers are obliged to perform some functions and permitted to perform others by laws passed by Parliament (either UK or the Scottish Parliament). The scope and interpretation of these powers and duties is further elaborated by decisions in court cases, which can also generate further duties⁴. To undertake such functions social workers require to build and sustain trusting relationships with the people they support, holding their rights, wishes, and preferences at the centre of considerations regarding interventions through the guiding legislative framework.

In third sector organisations, social workers can be involved in a wide range of relationship-based practice with people and families. Social workers in this sector play a crucial role in early intervention and prevention work which can reduce escalation and the need for statutory intervention. Third sector social workers also support statutory social work services through participation in inter-agency case conferences and meetings.

³ Scottish Government (2010) [Role of the Registered Social Worker in Statutory Interventions](#)

⁴ Social Work Law in Scotland, Guthrie, T, (2018), Bloomsbury Publishing

Society benefits from the contributions of social workers, in particular, where there is need for compulsory legal measures. The justice system, the Children's Hearing system, and Mental Health tribunals, all require comprehensive reports provided by social workers to ensure the balance of risk and human rights are taken into account when decisions (by these legal tribunals) are made. Beyond the confines of the legal system, social workers, including specially trained social workers called Mental Health Officers (MHOs), are at the centre of many processes that may lead to legal interventions. This includes work under a wide range of legislation relevant to people of all ages (including pre-birth). Social workers are also an essential component of other court proceedings, including activity under the Adults with Incapacity (Scotland) Act 2000 and the Adult Support and Protection (Scotland) Act 2007. The contributions from social work services demand not only social workers' knowledge of the individual's circumstances but careful assessment and analysis following precise and distinctive legal criteria under which the respective jurisdictions operate. Social work services thereby enable decision makers, such as Judges, Sheriffs, Parole Boards and panel members to perform their judicial functions of reaching well-informed decisions on the whole circumstances of the case in a fair, efficient and expeditious manner.

Another important contribution made by social work services is the role they play in explaining rights to people, advocating directly for them or referring them to advocacy services or other independent sources of advice. Social workers hold a legal duty under several pieces of legislation to ensure independent advocacy is offered to the people they support. The promotion of advocacy supports the pursuit of meaningful participation within systems of welfare and justice ensuring the wishes and views of people (often misunderstood or holding marginalised places in society and otherwise at risk of being unheard) are taken into consideration. This promotes meaningful inclusion in decision-making.

3. Historical context

The 1968 Social Work (Scotland) Act, was a landmark piece of legislation which embedded the vision of social work as a universal, community-based service. The passing of the 1968 Act, heralded a commitment by central and local government to provide a comprehensive and community oriented social work service, focused on providing early help, working in partnership with the communities served, and prepared and empowered to act to protect the vulnerable and those in crisis⁵. It brought social work professionals from different fields of practice together within new local authority social work departments. It consolidated legislation for children and adults in need, and probation, and aimed to effect change at both an individual and community level. Almost forty years after the 1968 Act, the 2006 report, *Changing Lives*⁶, reaffirmed the role of social work as a generic profession underpinned by knowledge, skills and values.

As the role of social work became ever more clearly defined by legislation (see Annex 2) and policy, greater formalising of frontline decision making, particularly resource management⁷, emerged. This shifted the onus from social workers as

⁵ Social Work Scotland (2018) [SWS-editorial-1.pdf \(socialworkscotland.org\)](#)

⁶ Scottish Executive (2006) [Changing Lives: Report of the 21st Century Social Work Review](#)

⁷ Ellis, K. (2014) 'Professional discretion and adult social work: Exploring its nature and

therapeutic resources towards practitioners as navigators of an increasingly complex landscape in which their professional values, methods and identity were eroded. Inevitably, social workers looked for areas within an ever more bureaucratic workplace to retain identity and purpose by trying to steer courses between policy intention, management systems and professional judgement.

Whilst now over 30 years old, the 1989 White Paper and subsequent NHS and Community Care Act 1990 represented seminal moments for social work; particularly in the creation of Care Management in adult services⁸. The Act set out a number of radical steps to address a growing social security budget particularly in regard to residential care. This placed an onus on local authorities to implement enabling models to promote greater independence, opposed to an approach perceived to be based on limited service provider options. The Act introduced a purchaser-provider split with the aim of embedding an increasingly privatised market within adult social care. The focus and concentration on procuring services based on quality and price fundamentally changed firstly the market of support and secondly the role of social workers in assessing people for services. These wider forces have shaped the current social worker role over time.

4. The shape of social work

The Scottish Social Services Council (SSSC) was established in October 2001 following the Regulation of Care (Scotland) Act 2001. Registration for social workers started in 2003 with compulsory registration by 2005. Also in 2005 the legislation to protect the title of 'social worker' was enacted. Social work registration requires the registrant to hold a social work qualification before they are licensed to practice. This registration requirement is different to social care, whose workforce can register and then work towards a qualification.

There were 10,987 social workers registered with the Scottish Social Services Council 2021. The number of registered social workers increased by 0.6% between 2020 and 2021 reversing the recent decreases⁹. 6,235 social workers worked in local authority services (n=5,666 WTE)¹⁰. Fieldwork services¹¹ for children and families continue to employ the highest number of social workers 2861 (n=2650 WTE) and 2036 social workers are employed in adult services (n=1851 WTE). 978 (n=914 WTE) social workers work in offender fieldwork services and 360 (n=252 WTE) are categorised as generic.

Social work takes place in all communities across Scotland, from remote and island settlements to urban neighbourhoods. All areas are unique in their social, economic and cultural characteristics. These factors influence the social work role and the skills required to respond professionally and sensitively to each community's needs.

scope on the front line of personalisation', British Journal of Social Work

⁸ UK Government (1990) [National Health Service and Community Care Act 1990](#)

⁹ The 2020 and 2021 figures include temporary registrants who were accommodated under COVID-19 measures

¹⁰ Scottish Social Services Council (2022) [Scottish Social Service Sector: Report on 2021 Workforce Data \(sssc.uk.com\)](#). To note WTE is using local authority measure, not 37.5 hour measure.

¹¹ Fieldwork services are where frontline social workers practice

For example, the Iriss Insight¹² report found that social work practice in rural communities is successful when built upon the assets of a typical rural community, including people and place, familiarity and shared knowledge and a tradition of mutual aid. Practice should address issues of disadvantage, hidden poverty, remoteness and isolation, transport difficulties, and a lack of service choice with few specialist services available. Interventions such as these require an investment of time to build trusted relationships that support community capacity and resilience.

There are three functional areas of social work in Scotland: Children and Families, Adults, and Justice. These areas have continued to evolve around and in response to legislative and policy priorities. Social work has contributed to the development of, and responded positively and pragmatically to, policy and legislative developments that have been increasingly driven by individual categorisation¹³. This resulted in a move away from a generalised approach to supporting people, which had served communities well, but arguably did not enable social workers to develop sufficient expertise in particular fields. With a disaggregation of generic teams and a subsequent disconnect between the role of social workers across different functional areas, questions over the status of the profession as a single entity were raised. In response, the 21st Century Review of Social Work concluded that with the shift towards separate functions, there was still a need to retain a single generic profession, underpinned by a common body of knowledge, skills and values. These core values include the delivery of social justice and human rights, promoting social welfare and an equitable and equal society whilst holding the individual in unconditional positive regard. Social workers employ a wide range of approaches across the lifespan of people who need support to balance autonomy with protection; the rights of the self and those of others, to promote empowerment, participation and the delivery of outcomes aligned with people's needs, wishes and preferences.

4.1 Justice social work

Justice social work (JSW) services are part of a local authority's duties and in some areas these are delegated to Integration Joint Boards. Justice services are responsible for the delivery of information to the Courts, the provision of community orders and related justice social work interventions, with support from partners including third sector organisations.

The range of services JSW provide include:

- Assessments and reports to assist decisions on sentencing.
- Court services to assist those attending court.
- Bail information and supervision services as an alternative to custodial remand.
- Supervising people on social work orders to tackle offending behaviour and its causes.
- Supervising people who are required to perform unpaid work for the benefit of the community.

¹² Iriss (2019) [Rural social work in Scotland | Iriss](#)

¹³ Social Work Scotland (2108) [August-2018-50th-Anniversary-report-FINAL.pdf \(socialworkscotland.org\)](#)

- Prison-based justice social work services to those serving custodial sentences that involve statutory supervision upon release.
- Preparing reports for the Parole Board to assist decisions about release from prison.
- Throughcare services including parole, supervised release and other prison aftercare orders to ensure public safety.
- Supporting partner agencies to address public protection concerns through Multi-Agency Public Protection Arrangements¹⁴ (MAPPA) and Multi Agency Risk Assessment Conference (MARAC) procedures.

The current model for community justice came into operation on 1 April 2017, underpinned by the Community Justice (Scotland) Act 2016, which places duties on a group of statutory partners to engage in community justice planning and to report against a set of nationally-determined outcomes. This relies on effective partnership working at both local and national levels. Community justice partnerships in local authority areas are made up of a number of statutory partners which include justice social work and are supported by Community Justice Scotland, which was established by the 2016 Act.

Within justice social work, there are specific workforce challenges given the nature of the work involved in working with people who can present a risk of harm to themselves or others. Justice social workers require to be skilled in both assessing and managing risk using accredited risk management tools and implementing complex case management plans involving the use of structured programmes of intervention. Justice social workers carry forward core social work values to support the people they work with to enable their access to human rights and support disenfranchised individuals to reengage with their communities. Justice social workers can also hold additional social work qualifications such as Mental Health Officer status.

Justice social workers employed by local authorities work in teams either based in the community or in prison. The Scottish Prison Service (SPS) commissions the services of prison-based social workers to collaborate with community partners to assess the risk and needs of people in prison, for example, by providing assessments for the parole boards and engaging in risk assessment activities through risk and case management planning. This commissioned service does not include the care and support assessments provided in the community by social workers in adults teams.

In 2021 there were 978 social workers in fieldwork services (offenders)¹⁵.

4.2 Adult services social work

Adult services social work emerged from the disaggregation of generic social work following the introduction of the NHS and Community Care Act 1990, and the subsequent emergence of the care management process, described as assessment,

¹⁴ Scottish Government (2022) [Multi-Agency Public Protection Arrangements \(MAPPA\): national guidance - gov.scot \(www.gov.scot\)](https://www.gov.scot/resources/consultation-papers/cgp2022001/mappa-national-guidance/)

¹⁵ Scottish Social Services Council (2022) [Scottish Social Service Sector: Report on 2021 Workforce Data \(sssc.uk.com\)](https://www.sssc.uk.com/reports/scottish-social-service-sector-report-on-2021-workforce-data/)

care planning, implementation, monitoring and reviewing. Whilst care management as a process was not intended to replace the role of social work in adult services it substantively altered the nature of social work practice, particularly in work with older people.

Developing alongside the formulation of a care management approach to adult social work, was the emergence of a growing social care sector split between local authority, independent and third sector providers. Significant service provision formed in learning disabilities, mental health and older people services. The effect of demographic changes and changes in national policy brought about growing demand on adult social work services which resulted in the significant growth of the social care sector. Contributing factors to this increased demand, and expectation of social care services, were embedded in policies such as the Same as You (2000) report addressing the need for increased community services for individuals with learning disability and the Reshaping Care for Older People¹⁶ change programme that sought to address the anticipated demand on services of an increased aging population.

Since this time, further human rights based policies and legislation has placed expectation and demand on adult social work services, contributing to the increased requirement for a person-centred and human rights based approach to engagement.

In 2021 there were 2036 social workers within local authority adult services¹⁷. Adult social work services are broadly arranged across the functional areas of:

- [Learning disabilities](#)
- [Mental health](#)
- Physical disabilities
- Sensory impairment
- [Dementia](#)
- Neurological illnesses
- Conditions related to older age
- [Transitions](#) for looked after children and children/young people with disabilities and their families
- [Self-directed support](#)
- Alcohol and Drug services

All areas of adult social work services retain significant statutory responsibilities which, in the majority of cases, can only be carried out by professionally registered social workers. The paragraphs below provide a small number of examples associated with particular areas of legislation in which social workers either play a central role or are reserved functions of social workers.

¹⁶ Scottish Government (2013) [Reshaping Care For Older People - Update Paper](#)

¹⁷ Scottish Social Services Council (2022) [Scottish Social Service Sector: Report on 2021 Workforce Data \(sssc.uk.com\)](#)

Adult Support and Protection

The Adult Support and Protection (Scotland) Act 2007 (ASP) is designed to protect adults (16 years and above) who are at risk of harm because they are affected by disability, mental disorder, illness or physical or mental infirmity. The Act provides ways of protecting adults at risk of harm. It places a duty on councils to make inquiries about a person's well-being, property or financial affairs if it knows or believes that the person is an adult at risk, and that it might need to intervene in order to protect the individual. ASP legislation prescribes that certain statutory tasks can only be undertaken by Council Officers.

Mental Health

Since the inception of the Scottish Parliament in 1999, mental health law, policy, practice and ethos have developed dramatically in Scotland. For the social worker in the community mental health team, this means evolving practice and progressing understanding of mental disorder, mental illness and various diagnoses.

Social workers bring a social perspective to the concept of mental illness. They work with medical and health colleagues, as well as with the third sector and others, to provide an effective and balanced service, whilst remaining at the forefront of processes that empower people who use services. Social workers play a significant role in supporting people living with mental illness in the community. Their involvement enables those with complex needs and trauma experiences, including forensic mental health involvement, to live as independently as possible in the community. Adult services social workers offer direct risk assessment of circumstances to support MAPPA through a person centred approach, rooted in human rights and social justice. The social work role is to build effective professional relationships that reflect person-to-person centred care as opposed to being expert to non-expert. This supports the principle that the person is the expert in their own mental health process. The role of the social worker in the community mental health team is to try and understand the person's illness in their personal and social context, balancing the rights and needs of the person and others.

Social workers work with the individual, family and/or carers to provide support and education on the illness. They also work across other social work services. For example, working in partnership with Children and Families services to promote a parent's contact with a child; working with justice services; or to work alongside recovery services if someone has a dual diagnosis of substance misuse and mental ill health. Mental health social workers apply their awareness of stigma to mental illness to their work and understand the impact of mental illness across different cultures.

Mental Health Officers (MHO)¹⁸

Mental Health was the first practice area to reserve functions to suitably qualified social workers. Only registered social workers with additional appropriate

¹⁸ To become a Mental Health Officer a social worker must be qualified for at least two years and have attained a sufficient level of experience and proficiency within any area of social work to apply for the Post Graduate course of study

qualification may carry out the duties of a Mental Health Officer as set out in the Adults with Incapacity Act 2000 and the Mental Health (Care and Treatment) (Scotland) Act 2003.¹⁹

The MHO will be involved in forensic mental health, in which they are required to work closely in the management and risk assessment of mentally disordered offenders. MHOs work closely with the responsible medical officer, police and, at times, under the MAPPA framework or the Care Programme Approach²⁰. Robust care planning for the individual is required, as is ongoing work that includes reporting to the Restricted Patients Unit of the Scottish Government when COROs (Compulsion Orders and Restriction Orders) are in place.

The MHO has specific duties in relation to working with the Mental Health Tribunal Service, court and criminal justice system and in relation to specific directions from mental health tribunals. The MHO also works closely with the Chief Social Work Officer²¹ to provide support and advice in relation to the workforce, as well as to report any risk issues to the Chief Officers Public Protection Group. Mental Health Officers are involved in the assessment of individuals experiencing mental disorder who may need compulsory measures of care, treatment and, in some cases, detention. The role carries considerable autonomy and responsibility and involves working alongside medical and legal professionals.

Adults with Incapacity

The Adults with Incapacity (Scotland) Act 2000, provides a framework for safeguarding the welfare and managing the finances of adults (age 16 and over) who lack capacity due to a mental illness, learning disability, dementia or related condition or where there is an inability of the individual to communicate.

The Act requires the social worker intervening under this legislation, to evidence an adherence to principles based in human rights and that actions taken recognise the past and current wishes of the individual. There are specific requirements for assessing capacity, and collaborative working is required across several disciplines. For example, there is a need for consideration of appropriate methods of communication for the person being assessed to enable their understanding (wherever possible) as part of the assessment process. Additionally, interventions through this Act require to be the least restrictive and to offer benefit to the individual, a requirement that often sees social workers engaging extensively with family and other disciplines to ensure the individual's expressed wishes are taken into account. Social workers are often delegated by the Chief Social Work Officer as the day-to-day guardians of adults with incapacity. There is a requirement for social workers to work with the Mental Welfare Commission for Scotland, courts and the Office of the Public Guardian (Scotland).

4.3 Children and families social work

²⁰ Scottish Government (2010) [Memorandum of Procedure on Restricted Patients - gov.scot \(www.gov.scot\)](http://www.gov.scot/Resource/0/4/04003/nid24533/eng/0.pdf)

²¹ Scottish Government (2016) [The Chief Social Work Officer Role - The role of the Chief Social Work Officer - gov.scot \(www.gov.scot\)](http://www.gov.scot/Resource/0/4/04003/nid24533/eng/0.pdf).

All children and families require support from universal services such as health and education. Social work services are provided by children and families social work to children under 18 years (including pre-birth) and their families when additional support is needed or when children are at risk. However, if a young person has been looked after by the local authority, a social work or social worker-led service may continue up to the age of 26.

The reasons why social work involvement may be necessary are very varied, but usually the parents and/or children, or the whole family, may be experiencing a combination of practical, emotional and relationship difficulties. Children and parents in all income groups and with a wide range of disabilities, emotional and relationship difficulties may be assessed as in need of a social work service. However, families from areas of higher deprivation are significantly more likely to receive statutory social work services²².

Social work services may become involved with a family through different routes. A family member may request a social work service but it is more common that they will be referred by someone they know, usually a professional such as a health visitor, doctor, teacher, youth worker, or community police officer. Anyone who considers that a child is being harmed or is at risk of suffering harm should refer the child for a social work assessment to decide whether a formal child protection service is necessary. Social workers will usually work with those being referred to explain why they consider that this is necessary and what might happen next. Social work departments also work with children and families where there are welfare concerns which do not meet the definition of “harm” to provide support, guidance and advice to the child and family to ensure the correct and proportionate support is given to the child at the right time by the correct people. This early and effective intervention is provided in line with the Scottish Government’s commitment to [GIRFEC](#) (“getting it right for every child”) principles and the aim is to help children and young people to grow up feeling loved, safe and respected so that they can realise their full potential. Section 22 of the Children (Scotland) Act 1995 places a duty on local authorities to safeguard and promote the welfare of children in their area who are in need and, where consistent with that duty, to promote the upbringing of children within their families. Every local authority in Scotland provides social work services to fulfil these statutory duties. In 2021 there were 2861 children’s social workers in local authorities.

Children’s and families social workers contribute to a range of service and policy areas. Examples include:

- [Child protection](#)
- [Adoption](#)
- [Fostering](#)
- Looked after children
- Family support

²² Research in Practice (2020) [Poverty aware practice with children and families | Research in Practice](#)

- [Transitions for looked after children and children/young people with disabilities and their families](#)
- [Child and Adolescent Mental Health Services](#)
- Care experienced children and young people
- Youth justice
- [Implementation of The Promise](#)
- Young carers
- Kinship care

The paragraph below provides an example associated with a particular area of legislation in which social workers play a central role:

Children's Hearings

The Children's Hearings (Scotland) Act 2011 and its subordinate legislation imposes a variety of duties on the Chief Social Work Officer and local authorities. As a result, social work services play key roles in the effective operation of the children's hearings system. This includes such matters as mandatory referrals of children in need of compulsory measures of care to the children's reporter and the provision of reports to assist decision making within the system by children's reporters, panel members and sheriffs who are subsequently able to make informed decisions in the best interests of children. Social workers also enable the legislation and system for welfare and justice to operate by being the statutory supervisors of children placed on orders issued under the hearings system. They have a role in ensuring that children are bestowed with the statutory measures of care, protection, guidance and control that have been decided by a hearing. This interventionist work is balanced by also ensuring important human rights based principles (such as minimal intervention, child's welfare and the child's views being heard) are promoted. Invariably the social worker assumes the role of lead professional in the multidisciplinary arena within the children's hearings system, planning and coordinating care and multidisciplinary resources for the child and its family.

5. The Chief Social Work Officer role

In 1996 local government was reorganised, culminating in the creation of 32 new local authorities. This change included a move away from authorities requiring to appoint Directors of Social Work in favour of the Chief Social Work Officer (CSWO) role.

The CSWO role was established to ensure the provision of appropriate professional advice in the discharge of a local authority's statutory functions. CSWOs undertake the role across the full range of a local authority's social work functions to provide a focus for professional leadership and governance in regard to these functions. As per the national CSWO guidance²³, the CSWO assists local authorities and their partners in understanding the complexities and cross-cutting nature of social work service delivery. This includes issues such as corporate parenting, child protection, adult support and protection and the management of high risk offenders. Social

²³ Scottish Government (2016) [The Chief Social Work Officer Role - The role of the Chief Social Work Officer - gov.scot \(www.gov.scot\)](#).

work plays a key role in contributing to the achievement of a wide range of national and local outcomes. CSWOs provide both assurance and professional leadership and advice to elected council members and Integration Joint Board (IJB) members.

The CSWO supports overall performance improvement and the management of corporate risk. It is for local authorities to determine the reporting and management structures that best meet their needs. However, where the CSWO is not a full member of the senior management team or equivalent, elected members must satisfy themselves that the officer has appropriate access and influence at the most senior level and is supported to deliver the complex role.

The role of Chief Social Work Officer is typically held by a senior manager who has operational responsibilities in addition to those required of their CSWO remit. The integrated environment of the IJBs and the variety of schemes of delegation further complicate the role of the CSWO depending on:

- Their individual operational responsibilities.
- Whether those fall into the IJB portfolio.
- Their relationship with the other functional areas of social work that may or may not fall within the same organisational remit as theirs.

CSWOs play a pivotal role, however the breadth of their responsibility and span of their influence is not reflected in employing bodies' management structures. Given the significance of the professional responsibility of the CSWO, there is a risk of dilution of the importance of social work within integrated landscapes if the CSWO is responsible for large areas of service management in addition to their CSWO role.

6. Conclusion

Social work is not unique in being shaped through economic and political changes. However, the scale and breadth of change which the profession has experienced over recent decades is stark. Viewed within a historical context, the 1968 Act set the foundation for the profession to pursue a clearly defined role. This role, over the intervening years, has fundamentally changed to incorporate emerging societal, political and economic priorities.

Social work proves itself to be a profession which responds pragmatically to an ever changing world and has evolved such that it is now time to reflect on the role of the profession within and potentially outside of a National Care Service. This paper describes a number of key milestones which have fundamentally changed the role and function of social workers across Scotland. Whilst policy changes have been underpinned by sound rationale and intent, practical implementation has often fallen short of the spirit and intention of policy and legislative change. This has often left people, communities and the profession disappointed and frustrated. Under these circumstances, the social work profession has often been viewed as an unwilling participant in the change process. This perception has undermined morale, job satisfaction and led to a high attrition rate as compared to other similar professions.

On 20 June 2022 a National Care Service (Scotland) Bill was introduced to parliament, its primary objective being to improve the quality and consistency of

social services in Scotland. In such, there is a coherent case for realigning social work professional practice with an early intervention and prevention agenda, building on policy intent and universally supported within the Independent Review of Adult Social Care in Scotland (Feeley 2021) and the Promise.

Annex 1: NCS Evidence Papers

An initial collection of contextual evidence papers, setting out key sources of information about social care and related areas in Scotland, were published in June 2022. These are linked to the National Care Service Consultation proposals published in August 2021.

The collection consists of the following 6 papers on social care:

1. [Health and demographic profile: evidence](#)
2. [People who Access Social Care and Unpaid Carers in Scotland](#)
3. [Social Care Support and Service Provision in Scotland](#)
4. [Experiences of Social Care and Caring in Scotland](#)
5. [The Adult Social Care Workforce in Scotland](#)
6. [Adult Social Care in Scotland - Equality Evidence Overview](#)

And papers on:

7. [Children's Social Services: overview](#)
8. [Justice Social Work in Scotland](#)
9. [Learning and evidence from national social care systems in Nordic and Scandinavian countries](#)
10. [Integrated Care Studies: The SCFNuka \(Alaska\) and Canterbury \(New Zealand\) Models](#)

Annex 2: Chronology of Legislative Milestones

Social Work (Scotland) Act 1968
Chronically Sick and Disabled Person (Scotland) Act 1971
Adoption (Scotland) Act 1978
Foster Children (Scotland) Act 1984
Disabled Persons (Services Consultation and Representatives) Act 1986
NHS and Community Care Act 1990
Criminal Procedure (Scotland) Act 1995
The Children (Scotland) Act 1995
Carers (Recognition of Services) Act 1995
Community Care Direct Payments 1996
The Human Rights Act 1998 (evolving from the European Convention on Human Rights)
Adults with Incapacity (Scotland) Act 2000
Children Leaving Care Act 2000
The Regulation of Care (Scotland) Act 2001
The Community Care and Health (Scotland) Act 2002
Protection of Children (Scotland) Act 2003
Commissioner for Young People and Children (Scotland) Act 2003
Mental Health Care and Treatment (Scotland) Act 2003
Adult Support and Protection (Scotland) Act 2007
Adoption and Children (Scotland) Act 2007
Public Services Reform (Scotland) Act 2010
Equalities Act 2010
The Children Hearings (Scotland) Act 2011
Social Care (Self-directed Support) (Scotland) Act 2013
Children and Young People (Scotland) Act 2014
Public Bodies (Joint Working) (Scotland) Act 2014
Children (Equal Protection from Assault) (Scotland) Act 2019
Children (Scotland) Act 2020



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