

13 August 2009

Mr Eugene Windsor  
Clerk, ELLC Committee  
Room T3.40  
The Scottish Parliament  
Edinburgh  
EH99 1SP

Dear Mr Windsor,

## THE PUBLIC SERVICES REFORM (SCOTLAND) BILL – THE ESTABLISHMENT OF SOCIAL CARE AND SOCIAL WORK IMPROVEMENT SCOTLAND (SCSWIS)

Thank you for the opportunity to submit evidence to the Education, Lifelong Learning and Culture Committee on the above Bill. There are a few points we would like the Committee to consider. We are confining our comments to the proposed creation of Social Care and Social Work Improvement Scotland.

1. Children in Scotland welcomes some rationalisation of what has become a very cluttered regulatory landscape. We hope that a number of improvements in policy and practice will accrue from this change.
  - There is clear demarcation of responsibility within the new organisation, with no duplication or overlap of duties. At present, while social work services as a whole are inspected by SWIA, parts of that service, such as residential childcare, are also inspected by the Care Commission. Genuine integration within and throughout the new organisation will be needed.
  - The internal structure of the new organisation achieves both integration of function and rationalisation of process. This should generate cost savings.

- The purpose and authority of the new body needs to be clearly articulated. It will carry responsibilities for regulation, evaluation, enforcement and quality assurance. There are potential tensions when the same organisation is expected to effectively discharge all these important and complex functions. For example, the support element implicit in a service charged with improvement in practice does not always sit easily alongside an enforcement role. The balance of focus and priorities must be carefully considered. Standards and guidance, and how they are to be practically applied, must be unambiguous, outcome-focused and derived from evidence-based best practice. It is essential to ensure consistency of approach both nationally and across types of service.
2. The existing organisations had established systems for user involvement in regulatory and inspection processes. We urge that good practice in this respect is sustained and built on. In particular, the involvement of children and young people as lay inspectors is a valuable resource. We also wish to highlight the importance of expanding the amount of meaningful consultation with, and involvement of, children and young people who use these services. The new agency should employ the best available methods and approaches specifically tailored to the children and young people who will be consulted and involved. This requires explicit training and support for adults and young people alike.
  3. We do not have a strong view about which agency leads on joint inspections, particularly in relation to integrated and multi-agency services such as child protection. We would, however, welcome reassurance that existing expertise, and a holistic and integrated approach to children's support services, will not be compromised by this change.

We would be happy to expand on any of these points .

Yours sincerely,

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