

FALKIRK COUNCIL

SUBJECT: ANNUAL REPORT OF THE CHIEF SOCIAL WORK OFFICER
MEETING: FALKIRK COUNCIL
DATE: 26 JUNE 2013
AUTHOR: DIRECTOR OF SOCIAL WORK SERVICES

1. INTRODUCTION

- 1.1 This annual report provides Members with an overview of how the statutory duties of the Chief Social Work Officer (CSWO) have been fulfilled over the year 2012/13. It also updates Members on how the wider responsibilities of the CSWO have been fulfilled as they relate to the promotion of values and standards and in the provision of professional leadership.

2. GOVERNANCE ARRANGEMENTS

- 2.1 On 1st September 2009, Members of the Housing & Social & Care Committee endorsed a draft policy statement on the Role of the CSWO. This policy was subsequently approved by the Policy & Resources Committee on 8th September 2009 with agreement that it be reviewed on an annual basis. The policy was reviewed by the Housing and Social Care Committee on 24th May 2011 and again on 28th August 2012. For the purposes of this year's review no changes are proposed to the current policy which is attached at **Appendix 1**. It should be noted, however, that the policy may require to be amended over the next year to reflect any changes arising from Health & Social Care Integration and Redesign of Community Justice.
- 2.2 Since the last annual report, the role of the CSWO has been continued to be fulfilled by Margaret Anderson, Director of Social Work Services. During any period of absence, formal arrangements have been in place for Heads of Service to deputise.
- 2.3 The CSWO is required to ensure the provision of appropriate professional advice in the discharge of the local authority's statutory Social Work duties. The CSWO has fulfilled this by;
- Participating as a member of Falkirk Council's Corporate Management Team and contributing directly to policy development;
 - Reporting directly to the Chief Executive and in so doing ensuring that the Chief Executive is appropriately advised in Social Work matters;
 - Meeting regularly with Elected Members to ensure they are appropriately advised on Social Work matters;
 - Providing regular reports on Social Work matters and Social Work performance to appropriate Committees and to the Best Value Forum within Falkirk Council;
 - Contributing to the Community Health Partnership governance arrangements through attendance at the Partnership Board and co-chairing the Joint Management Team; taking a leadership role in the Falkirk Child Protection Committee;

- Participating in the Forth Valley Adult Support and Protection Committee.
- Taking final decision on behalf of the local authority in relation to a range of Social Work matters, as required by legislation.

3. PROMOTION OF VALUES AND STANDARDS

3.1 Values and Standards are promoted in a variety of ways most notably through;

- Service Planning
- Workforce Regulation
- Workforce Development
- Inspection & Continuous Improvement Plans
- Statutory Decision Making
- Assessment and Management of Risk
- Consideration of feedback from service users

3.2 Service Planning

The Social Work Service Performance Plan for 2013 – articulates our vision for Social Work Services which is that;

- We deliver, through our competent and confident workforce, high quality care and protective services which make a real and positive difference to the quality of people's lives.
- We do this by working with the people who need/use our services and by developing services that can, as far as possible, meet their unique circumstances.
- We aim to make services integrated and straightforward by working with other agencies and communicating clearly and effectively.
- Our values of courtesy, care and respect are evident in everything that we do.

3.3 Staff are encouraged and enabled to participate in the development of service wide plans and in plans for their own areas of service in order to promote wider ownership of this vision and of turning this into a daily reality. The service plan will be presented for members approval along with those of other council services.

3.4 Participation and Engagement

In late 2011 Social Work Services published a Participation and Engagement Strategy outlining our commitment to involving service users in planning and developing Social Work Services. We have since developed action plans to outline how different parts of the service will implement these. Examples of actions taken over the last year to improve participation and engagement include:-

- Involvement of service users in the development of a training pack relating to how they can be involved in recruitment and selection.
- Involvement of young people in selection process for residential staff.
- Young people who are looked after or on the child protection register have provided their views through the use of an electronic tool called Viewpoint.
- Birth parents have provided feedback on the operation of the Adoption Panel.

- A large scale engagement programme relating to older people has been initiated, to help to inform our commissioning strategy for older people.
- A further engagement programme relating to how self directed support can be developed has commenced.

The Social Work Senior Management Team will monitor and review the implementation of the strategy and Members will be updated on progress in this area through the CSWO annual report.

3.5 Workforce Regulation and Development

Values and standards have also been promoted through approaches to workforce development. The following range of staff have been required to register with the Scottish Social Services Council (SSSC) and have done so successfully;

- Social Workers
- Social Work students
- Managers of Residential Child Care Services
- Supervisors in Residential child Care Services
- Residential Child Care workers
- Managers of Adult Day Care services
- Managers of Care Home Services for Adults
- Supervisors in Care Home Services for Adults
- Practitioners in Care Home Services for Adults

Practitioners in Care Home Services for Adults were required to register by 29th March 2013. The Service supported this group to register and we now have 100% registration. Newly appointed practitioners(social care worker) have to register as soon as possible after commencing the post and have what is called a 'six months grace' period to do so. The service has high levels of qualification in this job role and so only a small number require to be assessed for and complete a SVQ level 3 in Health and Social Care. The Service has its own SVQ Assessment Centre and so has the resources to provide these awards.

The following groups require to register with SSSC by specific dates and are completing the required awards to enable them to do so.

- Managers of Care at Home Services (by 31st January 2014)
- Managers of Housing with Care Services (by 31st January 2014)

The Managers attended a briefing session on registration in April 2013 and have been given a guidance pack. Their managers will support them to make their application by 31 July 2013 in order to ensure registration by the deadline of 29 January 2014

- Supervisors of Care at Home Services (by 2017)
- Workers in Care at Home Services (by 2020)

The Service has increased capacity to provide assessment of the large number of staff in Home Care to enable them to complete the required SVQ awards in preparation for

registration by these deadlines. A second Assessor for Home Care for Level 2 and level 3 awards will start on 24 June 2013

As Registered Workers, these staff members are required to comply with the SSSC's 'Code of Practice'. Falkirk Council, as an employer, is also required to comply with 'The Code of Practice for Employers'.

3.6 The Codes of Practice set out the standards and professional conduct and practice required of Social Services Workers and Employers. Social Work Services workers must:

- Protect the rights and promote the interest of service users and carers
- Strive to establish and maintain the trust and confidence of service users and carers
- Promote the independence of service users while protecting them as far as possible from danger or harm
- Respect the rights of service users whilst seeking to ensure that their behaviour does not harm themselves or other people
- Uphold public trust and confidence in social services
- Be accountable for the quality of their work and take responsibility for maintaining and improving their knowledge and skills

To meet their responsibilities in relation to regulating the social services workforce, the Council, as an employer, must;

- Make sure people are suitable to enter the workforce and understand their roles and responsibilities
- Have written policies and procedures in place to enable social service workers to meet the Scottish Social Services Council (SSSC) Code of Practice for Social Services Workers
- Provide training and development opportunities to enable social service workers to strengthen and develop their skills and knowledge
- Put in place and implement written policies and procedures to deal with dangerous, discriminatory or exploitative behaviour and practice
- Promote the SSSC's Code of Practice to social service workers, service users and carers and co-operate with the SSSC's proceedings.

3.7 Social Work Services have had a good track record in facilitating access to appropriate SVQ training which facilitates registration. Social Work Services also provide practice learning experiences for Social Work students and over the year ending March 2013, 11 placements were provided. In addition, a range of training is provided to staff across the Service to promote their continued professional development.

3.8 Inspection & Continuous Improvement

Over the course of 2012 - 2013 Social Work Services have continued to implement the improvement actions arising from the scrutiny process which the Care Inspectorate concluded in 2012. Likewise, the service has also contributed to the implementation of the improvement plans relating to the Child Protection Committee and Adult Support & Protection Committee.

The Council's 31 registered social care services are subject to regular inspection by the Care Inspectorate Appendix 2 contains a summary of the most recent inspection results on each of these services.

There has been an increase in the proportion of very good or excellent gradings achieved from 39% to 50%. The proportion of weak/adequate grades has dropped slightly from 16% to 15%, with the remaining results being graded as good. All services have action plans in place relating to how services can be improved.

The Service have also refreshed its programme of self evaluation using the corporate REFLECT process and has developed a detailed calendar of audit and improvement activity.

3.9 Complaints

Social Work Services are required to operate a complaints procedure for the handling of complaints which conforms to national guidance. The Social Work Complaints procedure differs from the Council's corporate procedure in that there is a final stage which may involve a complaint being heard by a Complaints Review Committee consisting of Elected Members and an independent Chairperson. Over the course of 2012/13 a total of 458 complaints were received in relation to Social Work Services, a rise of 99 from previous years. Detailed data relating to complaints is contained in Appendix 3.

Table 1 indicates by whom and to whom complaints had been lodged, with the teams/service areas with the highest volume of service users recording the highest proportion of complaints.

Table 2 provides a breakdown of the type of complaints.

Table 3 provides information on the stage of which complaints were resolved or concluded. It should be noted that 95% of complaints were resolved at stage 1 of the complaints process with only 2 proceeding to stage 3, one of which was considered by the Complaints Review Committee.

The Service remains committed to using learning from complaints more generally to improve practice.

3.10 Statutory Decision Making

The CSWO is responsible for taking final decisions on behalf of the Council in certain circumstances involving high levels of risk and vulnerability for service users.

3.10.1 Interim Placement/Moves to Secure Accommodation

In terms of the Children (Scotland) Act, the CSWO is the decision maker who requires to determine whether a child subject to a supervision requirement with a secure authorisation is placed in secure accommodation. In addition, the CSWO has significant powers under the Secure Accommodation (Scotland) Regulations 1996, including the power to place children in secure accommodation on an interim basis pending consideration by a children's hearing, and moving children committed to the care of the Local Authority by the criminal courts to secure accommodation. Because of the significance of the decisions to be taken, Parliament has required that the decision be taken by the most senior Social Work Officer in Falkirk Council (i.e. the CSWO.)

Three young people required to be accommodated in Secure Accommodation over the period April 2012 – March 2013.

3.10.2 Temporary Placement Changes

Under the Children (Scotland) Act 1995 the CSWO may decide that a child requires to be moved to a new placement, notwithstanding that the child requires to reside there by virtue of a condition on a supervision requirement made by the Children's Hearing.

Decisions are usually linked to moves from one residential care or foster care placement or to another, and can be triggered by concerns within the care setting

In making the decision the CSWO has to be satisfied that these powers require to be used, rather than requesting a review children's hearing. It usually relates to situations where it is clear that the current placement has broken down irretrievably. Over the last year 7 section 72 transfers were approved.

3.10.3 Statutory Functions (Adults With Incapacity)

The Adults with Incapacity (Scotland) Act ascribes a number of significant roles to the CSWO. These roles emphasise the importance of the exercise of social work professional skills in relation to Falkirk Council's functions in respect of the guardianship of adults with incapacity. The statutory framework does not, however, require the CSWO to exercise a personal decision making function.

The roles of the CSWO under the 2000 Act are:-

1. To act as guardian to an adult with incapacity where the guardian's powers relate to the welfare of the adult;
2. To act as the recipient of notices that applications for guardianship or intervention orders are to be made, and to ensure that appropriate reports are provided for the court process; and
3. To provide reports to court on the appropriateness of a guardianship or intervention order where the incapacity relied upon is not a mental disorder.

Falkirk Council currently has 65 Local Authority Welfare Guardianship orders for which the CSWO is the appointed guardian. There are a further 65 private Welfare Guardianship Orders and 39 private Financial Guardianship Orders (18 of which are joint welfare and financial guardianship orders). There is 1 joint Local Authority and private Welfare Guardianship Order. The Local Authority has a duty to supervise the appointed private guardians and review the continued need for the powers granted under the order. This is an area of work where year on year increases are evident.

At this time there are 30 guardianship orders at the "work in progress" stage. These may or may not result in an application to the sheriff court and a guardianship order being granted. There is also 1 Private Intervention Order in progress.

The CSWO is the appointed guardian for Falkirk Council Welfare Guardianship orders and as such has responsibility to ensure that the welfare powers granted under the order are exercised within the principles of the Adult with Incapacity (Scotland) Act 2000. This responsibility is completed through delegation to a supervising Mental Health

Officer and/or the case manager and the Order is reviewed every 6 months to ensure the Order is still required and that it continues to be relevant to the adult's needs.

The CSWO is required to allocate a MHO to complete a suitability report for a Private Welfare Guardianship Order application. The CSWO also has a responsibility to ensure the supervision of all Private Welfare Guardianship Orders within the Falkirk Council area. Within Falkirk Council this supervision is carried out by the full-time MHO team exclusively. This supervision involves an initial 3 month review followed by 6 monthly reviews of the continued need for the powers granted by the Guardianship Order and the continued fitness of the named guardian/guardians to exercise those powers in keeping with the principles of the Act.

Under Section 32 of the Mental Health (Care and Treatment) (Scotland) Act 2003 the Local Authority has a responsibility to appoint a sufficient number of approved (as detailed within the Act) Mental Health Officers to discharge the duties and responsibilities under the Mental Health (Care and Treatment) (Scotland) Act 2003, the Criminal procedure (Scotland) Act 1995 and the Adults with Incapacity (Scotland) Act 2000. Currently Falkirk Council Social Work Service has 12 accredited and practising Mental Health Officers (MHOs) Four of these are employed exclusively to carry out statutory work (full-time MHO team) the remaining eight are on the MHO duty rota and carry some designated MHO cases.

3.11 Assessment and Management of Risk

The CSWO has specific responsibilities for ensuring effective governance arrangements for the management of risk. Risk Assessment and Risk Management is a particularly complex area of Social Work practice which involves balancing needs, risk and civil liberties in accordance with professional standards. The exercise of such responsibilities is fundamental to work with children on the Child Protection Register, Looked after Children, vulnerable adults who may be in need of support and protection and work with high risk offenders, including registered sex offenders.

Over the course of the last year we have updated a range of policies and procedures to take account of national guidance relating to Adult Protection, Child Protection and Public Protection. We have also provided a range of training in respect of risk assessment and risk management to front line staff.

Risk assessment and risk management training continues to be provided by Stirling University and rolled out across both Community Care and Children & Families whilst the Risk Management Authority is responsible for the provision of risk assessment training for Criminal Justice. All front line Criminal Justice staff have been trained in the use of LSCMI.

As of 31st March 2013 there were 59 children on the Child Protection Register and 382 children looked after, 219 of who were looked after away from home.

4. LEADERSHIP

4.1 The CSWO has responsibility for;

- Supporting and contributing to evidence based decision-making and practice at professional or corporate level by providing appropriate professional advice
- Promoting social work values across corporate agendas
- Seeking to enhance professional leadership and accountability throughout the organisation to support the quality of service and delivery.
- Support the delivery of social work contribution to achieving local outcomes
- Promote partnership working across professions and agencies to support the delivery of suitably integrated Social Work Service.

4.2 The provision of appropriate professional advice at a corporate level and the promotion of Social Work values across corporate agendas has been taken forward through the Corporate Management Team and through reports to Members.

4.3 Professional leadership and accountability has been promoted through the Services management systems. The last year has been a challenging one as Falkirk Council has continued to face budget pressures which has required all Services to manage resources effectively.

All employees are acutely aware of the financial pressures facing Falkirk Council and of the particular pressures on Social Work budgets and Managers have worked hard to control spending whilst continuing to provide services within agreed Falkirk Council policies.

4.4 The Social Work Service has contributed significantly to the Single Outcome agreement and to corporate priorities. Examples include:

Further Developing a Thriving, Sustainable and Vibrant Economy

We supported the development of a skilled workforce, and maintained our commitment to provide placements for modern apprenticeships through our trainee social care worker programme.

Continuing To Improve the Health, Safety and Wellbeing of our Citizens and Communities

Our Mobile Emergency Care Service has been successful in reducing the number of falls experienced by their service users to a level which is substantially below the national average. The Falkirk Falls Management Team were the winner of a Care Accolades Award under the Working Better Together category on 31 May 2013.

We have continued to enhance our capacity to look after children locally by recruiting an additional 5 foster carers.

We have implemented the National Outcomes & Standards for Criminal Justice Services.

We have increased awareness of private fostering and the requirement for such arrangements to be notified to and monitored by the local authority and are currently monitoring 1 such arrangement.

Our Children with Disabilities Team have forged links with children's disability services in Tajikistan and have hosted a very successful study tour for colleagues in Tajikistan.

Increasing our Efforts to Tackle Disadvantage and Discrimination

In the last financial year (2012/13), our Community Advice Service and partners achieved welfare benefit gains for people in the Falkirk Council area of £7.5 million. In the same period, the team lodged a total of 800 appeals against unfavourable decision by benefits agencies and achieved a success rate of 76% decisions overturned. The Service also provided advice or negotiated debts for 893 local people on debts amounting to £22.3 million.

Enhancing and Sustaining and Environment in which People Want to Live, Work and Visit

We have completed on a major refurbishment exercise in Burnbrae Care Home, which has provided will provide a much improved living environment for residents.

Our Community Payback by Offenders Service has delivered 56,102 hours of Unpaid Work in communities. They have also embarked on a very ambitious project to restore the Walled Garden in Dollar Park with is already beginning to transform that area of the park.

4.5 Partnership working is fundamental to the work of the Social Work Service and has been demonstrated through our active involvement in the following key partnerships;

- Community Health Partnership
- Child Protection Committees
- Adult Support & Protection Committee
- Adult Strategic Planning Group
- Forth Valley Community Justice Authority Management Group
- MAPPA Steering Group
- Children's Commission
- Integrated Teams
- Forth Valley Girfec Group

5. FUTURE CHALLENGES

5.1 Social Work Services and the Social Work profession continue to face a number of significant challenges.

- We are operating in an increasingly difficult financial climate in which we must strive to deliver services within available budgets whilst promoting and maintaining professional value and standards.
- We are facing rising public expectations and, in many areas, rising levels of need relating to demographic changes within our communities.
- Related to this we are continuing to work through cultural shifts away from traditional models of care which assumed that service users would continue to have high levels of dependency towards models built on the need to maximise independence and to achieve personalised approaches to care.

- We are facing significant legislative changes. The Children's & Young People's Bill will bring additional responsibilities in relation to looked after children and the implications of the Getting it Right for Every Child programme.
- We are facing considerable organisational change in relation to the integration of Health & Social Care and potential change in arrangements relating to Criminal Justice Social Work.

All of the above has the potential to impact on frontline service delivery and a key management priority will be to continue to support effective frontline delivery of services through effective support to the staff who provide these.

- 5.2 The work which Social Work Services staff undertake on behalf of Falkirk Council is life changing work. Our work enables vulnerable citizens to gain independence, to be safe and to be cared for and it contributes to the overall safety and well being of our communities. Although not often publicly recognised, our staff are skilled, experienced and highly committed to delivering the best possible services to the people in Falkirk, and as such, are our greatest asset in facing the challenges which lie ahead.

6. RECOMMENDATIONS

Members of the Executive are asked to;

- 6.1 **Note the contents of this report**
- 6.2 **Acknowledge the commitment, skills and experience of staff in continuing to deliver high quality Social Work Services for the benefit of Falkirk citizens**
- 6.3 **Request the Chief Social Work Officer to bring forward further reports on an annual basis**

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Director of Social Work Services/Chief Social Work Officer

Date: 31 May 2013

Contact Officer: Margaret Anderson, (506021)

LIST OF BACKGROUND PAPERS