

WEST DUNBARTONSHIRE COUNCIL

Report by the Executive Director of Social Work and Health

Council: 26 November 2008

Subject: Chief Social Work Officer Consultation

1. Purpose

- 1.1 The report outlines the recent draft guidance on the role of the Chief Social Work Officer (CSWO) (appendix 1).
- 1.2 The draft response from the Council's Chief Social Work Officer offers his views on the proposed guidance. The Council may wish to endorse these views or request that a separate submission be made. Responses have to be with the Scottish Government by 19 December 2008.
- 1.3 The report also offers the Council a draft framework to deliver accountability for the defined role of the CSWO (Chief Social Work Officer) and it is proposed that this approach should be the subject of wider consultation with service users, carers, staff, trades unions, elected members and partners, and other providers of social work and social care services. Council is asked to support this proposal.

2. Background

- 2.1 Existing Statutory Authority or Guidance.
- 2.2 There is very little statutory authority or guidance about the duties, qualifications and responsibilities of the Chief Social Work Officer.
- 2.3 The statutory authority for the role can be found in Section 3 of the Social Work (Scotland) Act 1968 as amended by Section 45 of the Local Government (Scotland) Act 1994.
- 2.4 Further Scottish Office Circular Number SWSG2/953737 (appendix 2). This circular sets out the responsibilities, appointment and qualifications of Chief Social Work Officers. Under the heading "Responsibilities" the circular states:

"..... the government decided that it was essential to provide

a clear focus for professional leadership and continuity in the field of social work, and consequently each social work authority should have a Chief Social Work Officer. As was made clear during the passage of the Bill, the government's intention is that the Chief Social Work Officer will have oversight over all social work services provided or purchased by the authority."

- 2.4.1 The statutory obligation to appoint a Chief Social Work Officer may be satisfied by the appointment of a professionally qualified Director of Social Work in the same way, but not all social work authorities have a Director of Social Work. Many authorities will no doubt choose this course. Alternatively, a local authority may choose a different departmental structure which does not involve the appointment of a professionally qualified Director of Social Work. In that case it will be necessary for the authority to appoint a professionally qualified Chief Social Work Officer. In order for that person to exercise oversight over all social work services provided or purchased by the local authority, it will be necessary for this to be an appointment at a senior level with the status and support necessary to undertake the role foreseen by government.
- 2.4.2 In all circumstances, the Chief Social Work Officer should have a direct line of accountability to the Council for the exercise of his or her responsibilities.
- 2.4.3 In addition to the general responsibilities described, Chief Social Work Officers will have specific statutory responsibility for certain decisions in relation to secure accommodation, enforcement of probation orders, adoption applications and some other matters.
- 2.4.4 The Regulations prescribe minimum qualifications. In selecting suitable candidates local authorities will wish, in addition, to give particular consideration to the applicant's level of management expertise (including experience, training and qualifications), experience of administration and policy development and to their post qualifying training in social work services.

3. The Case for Better Definition of the Role of Chief Social Work Officer

- 3.1 Following the 1996 Local Government Reorganisation the Association of Directors of Social Work (ADSW) pressed hard for more clarity about the role of the CSWO. ADSW wanted a clear definition of the term "oversight" and new guidance on the statutory responsibilities of the role. They also wanted the guidance to confirm that CSWOs should have access to information and all social work staff; and that the CSWO should

have a statutory right to provide professional opinions directly to the Chief Executive, senior colleagues and elected members.

- 3.2** ADSW's concerns resulted from structural arrangements, after reorganisation, in many local authorities which placed CSWOs outside senior management posts (Third Tier) and limited their access to key decision makers. This made it difficult to exercise influence and monitor the effectiveness of social work services. The creation of merged "super" departments in some local authorities was seen as a contributory risk towards limiting the scope of the CSWO's role.
- 3.3** These issues were considered by the then Scottish Executive but not concluded. In 2004 the Scottish Executive commenced an independent review of social work services and it was reported to Parliament in 2006. It included examination of the role of the CSWO and reviewed the functions of social workers. The report of the 21st Century Social Work Review was titled "Changing Lives".

4. Changing Lives

- 4.1** "Changing Lives – Report of 21st Century Social Work Review" was published in February 2006. This report dealt with all aspects of social work practice. It included references to the role of the Chief Social Work Officer. Page 53 of the report, reflecting one of the ADSW concerns, stated "We found little clarity around what the oversight role means and were concerned that some Chief Social Work Officers were being appointed at the wrong level in the organisation to exercise their responsibilities effectively. Many social work officers and their managers did not know who their Chief Social Work Officer was and what they did. The new social work governance model set out means a stronger role for the Chief Social Work Officers, The position should be held by a single person in each local authority, who will be a responsible officer for the authority, reporting directly to the Chief Executive and the Council for the governance of all social work services delivered or commissioned by that local authority. These weighty responsibilities are likely to be more demanding than before. Employers must make sure that the Chief Social Work Officer must be a visible, credible social work professional, able to provide sound professional leadership, to access information and to challenge practice at any level and in any part of the system. He or she must demonstrate specific competences and may require to undergo specific training to prepare for the post. The new role should be defined in guidance, setting out the rights, responsibilities, required competences and accountabilities of the post".

- 4.2** Recommendation 10 of the review stated “Social work services must develop enabling leadership and effective management at all levels and across the system”.
- 4.3** At page 71 of the report it stated, again reflecting a concern raised by ADSW, “Performance reporting also has a crucial role to play in creating a performance culture and there are useful lessons to be learned from the education sector this could be adapted for use in the more complex and diverse context of social work services. The Chief Social Work Officer should therefore make an annual public report on the performance of services, improving objectives and progress made in achieving these”. The report also recommended that there should be various social work fora, one of which would be a national social work leaders’ forum, which would bring together leaders from the public, voluntary and private sectors, academia and regulatory bodies. This forum would have a particular role in supporting the development of professional leadership.
- 4.4** The review also recommended that there be legislation to “make a powerful statement”. In particular it was noted that “effective governance of social work is critical if we are to protect both people who use services and those who work in them. If new governance arrangements are to work, duties and expectations need to be set out clearly enabling change”.
- 4.5** The Scottish Executive issued a response to this report, again in February 2006. In the introduction to the report, Peter Peacock, the Minister for Education and Young People indicated as actions to be taken forward as being particularly important: “invest in developing the leadership and professional needs into the future”; and “strengthen the role of the Chief Social Work Officer and emphasise a responsibility for professional leadership and governance”. In the response, it was indicated that further consultation would take place before publishing a full implementation plan later in the year.

Peter Peacock indicated “At the heart of our change programme is a new focus on performance improvement, driving up standards and ensuring that services are focused on achieving the right outcome ... this approach has already delivered real improvements in the education sector ... and the learning from this has informed the thinking of the working group developing the framework for social services ... the new frameworks will drive up standards and develop a focus on performance improvement across the sector while streamlining business processes and significantly reducing the number of existing performance indicators. Performance against them will form part of reporting by Chief Social Work Officers”. Peter Peacock later indicated “As part of that work (developing new systems and approaches to practice governance) we are committed to redefining and strengthening the role of the Chief Social Work Officer, with

an emphasis on professional leadership and governance, whatever the management structure may be”.

5. Changing Lives Implementation and the CSWO's Role

5.1 Change Programmes

To take forward “Changing Lives” the Scottish Government, under the direction of Adam Ingram, Minister for Children and Early Years, has confirmed 6 major work streams to progress the modernisation of social work services. These are:

- Performance Improvement
- Service Development
- Practice Governance
- Leadership and Management
- Workforce
- Research and Development Strategy

(An abbreviated version of the Government’s schemata “The Way Ahead” is attached as Appendix 3).

5.2 Practice Governance Group

The workstream charged with the responsibility of developing the role of CSWO has been “Practice Governance”, led by an experienced Director of Social Work, which produced the consultation document (attached as Appendix 3).

5.3 Like the other change groups the Practice Governance Group has worked closely with key stakeholders and the final draft has been agreed with ADSW, CoSLA, SOLACE and representatives of NHS CHCP Directors.

5.4 The Draft Guidance is meant to secure some of the key objectives of “Changing Lives” including:

- the delivery of safe, effective and innovative practice in social work services; and
- a strengthening of the governance and leadership roles of the Chief Social Work Officer.

5.5 The Consultation Process

The Scottish Government has indicated it expects the guidance to assist local authorities in the discharge of their social work responsibilities. It will help maximise the “added value of the Chief Social Work Officer” – both at a corporate and performance level. It provides advice on how best to locate the Chief Social Work Officer role within operational

structures to maximise its effectiveness. The Scottish Government recognises that local authorities operate with very different management and organisational structures but considers the guidance is sufficiently generic to remain relevant in the event of future management or organisational structural change.

- 5.6** Responses to the consultation paper are to be sent by 19 December 2008.
- 5.7** A draft response to the consultation from the Council's Chief Social Work Officer is attached (Appendix 4).

The draft response is supportive of the proposed guidance but suggests that the guidance could be improved by additional emphasis on the following areas:

- the linkages between the local authority power to “promote well-being”, the Single Outcomes Agreement/National Outcomes, and the role of social work services;
- under “Leadership Responsibilities” to develop the concept of partnership working beyond “profession” to include inter-agency collaboration and partnerships;
- explicit reference to resource allocation and budgets as a legitimate concern for the CSWO in judging the effectiveness of social work services.

- 5.8** The Council is asked to endorse the CSWO's draft response.

6. Developing an Accountability Framework for the Role of CSWO

- 6.1** The draft guidance from the Scottish Government sets out key expectations.

6.1.1. Role and Function – providing appropriate professional advice to the Council in the discharge of statutory social work duties. The CSWO is a “proper officer” given particular responsibility on behalf of the Council where the law requires a specified postholder.

6.1.2. Competences, Scope and Responsibilities of the CSWO – the qualifications are set down in regulations and the postholder must be a qualified social worker and registered with the Scottish Social Services Council (SSSC) or equivalent U.K. body. The postholder should have extensive experience at a senior level of operational and strategic management of social work and social care services.

- 6.1.3.** The scope of the role relates to all social work and social care services whether provided directly by the Council, in partnership with other agencies, or purchased on behalf of the authority including through the third sector.
- 6.1.4.** Values and Standards – the CSWO should establish values and standards of professional practice.
- 6.1.5.** Access to Discharge these Responsibilities - the CSWO needs access to people and information across the Council, including the Chief Executive, elected members, managers, front line practitioners, partner services and agencies. The CSWO needs to bring matters to the attention of the Chief Executive and to be available to all registered social workers and other staff requiring professional advice and guidance.
- 6.1.6.** Leadership Responsibilities – the CSWO is responsible for providing professional leadership and should support and contribute to evidence – informed decision-making, at professional and corporate levels, by providing appropriate professional advice. The CSWO should seek to enhance professional leadership and accountability throughout the organisation to support the quality of services and delivery; and to support the delivery of social work’s contribution to achieving local outcomes. The role should promote partnership working across professions to support integrated social work services.
- 6.1.7.** Accountability and Reporting Arrangements – local authorities need to consider how the CSWO is enabled to influence corporate issues such as risk management, setting budget priorities and public service reform. The Council has to consider access arrangements to key decision-makers, how the CSWO reports to the Chief Executive and agreed models to resolve conflicts of interest. The relationships, responsibilities and respective accountability of operational line managers and the CSWO have to be examined. Procedures for the recruitment and removal of a CSWO postholder need to be produced.
- 6.2** A draft framework for Accountability is attached for consultation. This work will be shared with the:
- Corporate Management Team
 - Elected Members
 - Social Work Staff
 - Trades Unions
 - Significant Partners, including NHS and CHP and the Community Planning Partnership
 - Providers

- User/Carer Groups
- Association of Directors of Social Work (ADSW)
- Confederation of Scottish Local Authorities (CoSLA)

Although the formal consultation on the Guidance will be completed by December 2008 the work and consultation to develop a framework for West Dunbartonshire Council will continue into 2009, and be finalised by the end of March 2009.

6.3 Continuous Improvement

Whenever possible responsibilities tied to the CSWO's role will be matched into existing or developing improvement plans at service or corporate levels, e.g. the revised Service Plan, the Single Outcome Agreement or requirements defined by the Social Work Inspection Agency Action Plan.

- 6.4** It is proposed that the draft framework should be discussed at a seminar for elected members and at an extended CMT involving trades unions. Both meetings should be held early in 2009.

7. Personnel Issues

- 7.1** Much of the work outlined in the report involves commitment to existing improvement plans and actions. The additional staff seconded to support the SWIA Inspection process will also be available to help take forward the work in developing an accountability framework for the CSWO's role.

8. Financial Implications

- 8.1** It is difficult to assess direct costs associated with implementing the draft guidance and the accountability the framework. Pursuing improvements in areas such as performance management, communication and workforce planning and development may have time costs but these may be offset by the better use of resources and more effective approaches towards management and professional practice. Any budgetary pressures that are identified will be assessed within the normal budget setting process.

9. Risk Analysis

- 9.1** The development of guidance requires the Council to put in place systems and processes which match the standards outlined. Many of the risks have already been identified within the Council's Strategic Risk Framework and this can be reviewed as part of the planned annual update.

10. Conclusion

- 10.1** The Scottish Government's consultation on the draft guidance is welcomed. The guidance sets out reasonable expectations of the role and the Council's responsibilities to support the role of Chief Social Work Officer as a "proper officer".
- 10.2** There should be wider and extended consultation across the Council and partners about the development of the accountability framework.

11. Recommendation

- 11.1** The Council is asked to endorse the CSWO's response and agree to wider consultation on the proposed accountability framework for the CSWO's role.

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Background papers:	"Changing Lives" Report by 21 st Century Review Group www.scotland.gov.uk/Publications/2006/02/0209440
Appendices:	Appendix 1 Draft Guidance on the Role of the CSWO Appendix 2 Scottish Office Circular SWSG2/953737 Appendix 3 "The Way Ahead"

Appendix 4
Draft Response from the Council's CSWO

Appendix 5
CSWO Accountability Framework 2009-2010

Wards affected

All