

Scottish Mental Health Law Review – Additional Proposals

The Scottish Social Services Council is the regulator for the social work, social care and early years workforce in Scotland. Our work means the people of Scotland can count on social services being provided by a trusted, skilled and confident workforce.

We protect the public by registering social service workers, setting standards for their practice, conduct, training and education and by supporting their professional development. Where people fall below the standards of practice and conduct we can investigate and take action.

We:

- publish the national codes of practice for people working in social services and their employers
- register people working in social services and make sure they adhere to the SSSC Codes of Practice
- promote and regulate the learning and development of the social service workforce
- are the national lead for workforce development and planning for social services in Scotland
- are an ONS statistics provider.

Our response

The SSSC would welcome the proposal to consolidate the legislation around independent advocacy (IA) to ensure the landscape is clear and accessible to interested parties.

We would welcome the introduction of an opt out system for independent advocacy with the goal to ensuring that the highest proportion of those eligible for IA services are provided them.

However, we would want it to be made clear to interested parties that they do have the right to opt out if they believe that is the right choice for them, and that the process for doing this is made clear.

The establishment of an independent body to evaluate independent advocacy organisations would be beneficial. The proposals around uniformity in data collection are welcomed, however, collection is only one part of the picture. Making sure that information that is collected is properly used in policy making is essential.

The proposed introduction of qualification and registration requirements for independent advocates is welcomed. We would welcome the chance to

share knowledge and expertise on the merits of a qualified and registered workforce for social work, social care and early years sector.

The proposals for increasing diversity and inclusion within the sphere of independent advocacy are welcomed, however, we would further welcome proposals around how independent advocacy is to be promoted to a more diverse cross-section of Scotland's society, including to those who may potentially benefit from the use of IA services.

The SSSC welcomes the proposals in relation to supported decision making.

The SSSC welcomes the proposals for scrutiny of independent advocacy organisations.

We worked with NHS Education Scotland to develop the Equal Partners in Care learning resource. This resource provides principles which apply to all carers in Scotland, including the approximately 680,000 unpaid carers in Scotland. The proposals in relation to establishing independent advocacy resources to support unpaid carers are in line with the principles of EPiC and are welcomed.

Scottish Social Services Council

July 2022