

Social work in adult social services

(Original advice note February 2010, amended July 2012)

Context

This advice note from ADASS was first published in February 2010. It remains clear guidance on the proactive and **effective deployment of social work skills** in the context of personalising adult social services. The original has now, in July 2012, been updated and supplemented with a range of support materials developed in partnership with Skills for Care. This includes the development of a second advice note which supports Directors to consider how to deliver the intentions of advice note one. Together these constitute practical leadership direction for both employer and practitioner.

These advice notes and support materials should be used alongside the joint statement *The Future of Social Work in Adult Social Care in England* that was produced with Skills for Care, the Department of Health and the British Association of Social Workers, and which also involved the General Social Care Council, the Social Care Institute for Excellence, the Social Care Association and the Joint University Council Social Work Education Committee.

This note was originally developed in the context of high profile debate about the needs of individuals, families and communities and the significant contribution of the Social Work Taskforce and the Reform Board. Two years later, with shrinking resources, the needs have escalated as employers seek radical community interventions from social workers, alongside new business models while still fulfilling formidable statutory duties.

Planning for social work in adult social services

The renewed ADASS joint statement and support materials, with Skills for Care, are a demonstration of professional and practice leadership. The shared view is that it is critical to have clarity about the value and contribution of social work. This advice is to make clear what drives the deployment of social work skills and how this can be achieved. Such clarity is an important part of service governance.

As a profession, social work is underpinned by core values and behaviours that work with and empower individuals, families and communities. We use the international definition of social work (set out in the joint statement on the future of social work). The employment, deployment, training and development of social workers will be shaped primarily by the consideration of people's needs and circumstances and by the key role that social work plays, alongside other professionals, in

interpersonal support for people and in safeguarding their rights. This will be based on judgments about where social workers' specific skill sets and approaches match with choice, rights and beneficial outcomes, rather than defining their specific roles and tasks.

Therefore, in the absence of a prescriptive legal or regulatory framework, the local authority will employ, or ensure the deployment of, social workers where they are likely to contribute most effectively to securing positive outcomes for people in need of care or support and potentially in vulnerable or complex circumstances, defined by individual, family or community needs.

It is expected that voluntary, private and independent social work deployment will have a similar clarity of purpose.

Developing local statements

This advice is intended as both a means of establishing greater local clarity as well as stimulating further discussion.

ADASS recommends that each local authority determines a local requirement that certain identified functions should be performed by registered social workers. They will do this on the advice of their DASS. It should then form a transparent part of their workforce commissioning strategy. Such a statement will then go on to say how and by whom interpersonal support will be made available to the citizens in their area.

Local statements

Councils should consider the following:

- Asset, needs and demand analyses relating to their populations.
- Research about where social work has a positive impact.
- The views and opinions of people who need and/or use services and their carers.
- Their local public's understanding and expectations of social workers.
- The needs of families in their communities with high levels of contact with a range of services (for instance, child protection, mental health, substance misuse and the criminal justice system) where more focused work with the family may improve outcomes overall.
- Developing the skills of social workers to provide a wider range of support and intervention models to support individuals and families with complex needs and dynamics.
- Modeling, and possibly piloting, alternative forms and methods of making social work and interpersonal support available.
- The quality of social work education and other social care training and development in their area.
- A framework for professional supervision.
- The views and opinions of social workers and their representatives including the College of Social Work.

- The requirements and recommendations of the Health and Care Professions Council and the Care Quality Commission.
- The need to meet performance indicators and other targets, including measures of quality.
- The requirement to have sufficient and sufficiently skilled staff in place and the overarching duty of care.

Key issues and questions for local statements

- **The legislative context** – how is the council implementing the law? (Notes on this are included in Appendix 1).
- **Employers' responsibilities** – are you fulfilling these? (Notes are included in Appendix 2).
- **Risk** – can a social worker ensure the benefits of risk-taking? Is it safer for a social worker to undertake the task? Are they best able to support individuals in managing risks?
- **Complexity** – are there multiple and different tasks involved?
- **Skill and knowledge** – does the task draw on the skills and knowledge of social work training and experience? Are there further skills and knowledge needed?
- **Volume** – how many of these sorts of tasks are there to do?
- **Choice** – does the person needing services and support want, request or expect a registered social worker to work with them (not omitting people who may additionally be prepared to pay for this either through personal budgets, or their own or their families' resources)?
- **Cost, efficiency and effectiveness** – can registered social workers be afforded to do the task? Can the work of social workers reduce costs overall in the longer term? Is the economic value of social work demonstrable?
- **Equity** – are registered social workers deployed in a way that can be justified by a needs assessment?
- **Benefit or outcome** – where do (or should) registered social workers have beneficial impact on people's lives, both through direct work and as a source of knowledge, advice and consultancy to the council more widely?
- **Research and practice evidence** – what works and what is worth or needs development?
- **Public awareness** – do people know where and how to get information, advice and support and what are their perceptions of social work and social care?

The results of this analysis will be local, but ADASS suggests that local statements should include:

- Undertaking the duties and responsibilities of an Approved Mental Health Professional (AMHP) along with nurses, occupational therapists and psychologists.
- Safeguarding individuals' human rights where there is a question of the deprivation of liberty.
- Investigations of referrals that have met the threshold for safeguarding intervention as defined by the Local Safeguarding Adults Board (LSAB) and direct work with people who have been harmed or abused to support them in difficult decision making and the consequent drawing up, implementation and review of protection plans.
- Direct work with families where there are inter-generational issues related to abuse, anti-social behaviour, substance misuse, mental health and other problems.
- Work with families where there are children's safeguarding concerns.
- Hospital discharge care planning and review

- Continuing care assessments.
- Transitions – transfer of a looked after child/young person or child/young person in need to adult services for an agreed period.
- Specific work at the interface with the criminal justice system, for instance as part of drug intervention programmes.
- Contributions to research and the development of evidence bases relating to social work and social care practice.
- Consultations where social work skills and knowledge are beneficial; for example with other professional groups and with organisations led by people who use services.
- A source of expertise and advice to the councils and other employers in their community leadership and social responsibility roles more widely.

Key questions for the DASS and all employers of social workers

- What do you know about your current registered social workers? Where do you deploy them now?
- Are you compliant with the National Minimum Data Set for Social Care?
- How compliant are you with the Local Government Association Employer Standards and Supervision Framework?
- How are you preparing for registration of your social work staff by the Health and Care Professions Council?
- How would you advise your local authority to deploy them – now and in three-to-five years' time?
- In shaping the workforce, what are the options for delivering interpersonal support?
- How do you provide leadership right across the range of employers of social workers in your locality?
- What is the demand for social work and other interpersonal skills and how will you ensure adequacy of supply and skill? (See diagram below).
- Where do you have to apply legislation and safeguard people's rights?
- Are issues identified in the Joint Strategic Needs Analysis and in commissioning strategies?
- How will you communicate the important messages about direction and people's functions in the workforce?
- How will you respond to new legislation and the 2012 social care white paper, *Caring for our future*?
- Where do you have to work with other parts of the council and partners to improve outcomes for and safeguard individuals in families and in communities?

The intended output is the availability of **interpersonal and social work skills** where they are needed to improve outcomes, with registered social workers deployed according to local policy.

Interpersonal support



ADASS and Skills for Care are keenly interested in the outcomes of social work practice pilots and pioneers. They are supportive of the role of independent social workers and of the evolution of a more pluralistic pattern of social work service providers. Both organisations embrace a sector-led model of change and improvement that is based on rigorous evaluation of tangible positive outcomes for people who use services.

Cathie Williams and Vic Citarella, February 2010

Vic Citarella and Amanda Hatton, July 2012 with thanks to Professor Michael Preston Shoot

Appendix 1: Delivering in the legislative context

In May 2011, the Law Commission published the final report of its project to reform adult social care law. The commission recommends that the introduction of a single statute and code of practice to underpin the social care system.

The commission's recommendations include:

- decision making which has individuals' wellbeing at the centre
- new legal rights to services for carers
- building a single, streamlined assessment and eligibility framework.

The *Caring for our future* white paper was published in July 2012 and advocates the establishment of a principal social worker in each local authority; it encourages the deployment of social workers in community development roles and clears the way to provide a statutory framework for safeguarding adults.

Local authorities will be mindful of fulfilling their statutory duties when making decisions in relation to the deployment of social workers. One important consideration relates to ensuring that there are sufficient, and sufficiently skilled, staff in place. Section 6 of the Local Authority Social Services Act 1970 requires councils with social services responsibilities to have sufficient staff to perform their statutory functions. Section 7 of the same act requires the DASS to act in line with statutory guidance. 'No Secrets' guidance would be an example here.

There is also statutory guidance on the strategic chief officer post of director of adult social services (DASS), and best practice guidance on the role of the DASS, both published by DH in 2006. This guidance reinforces the duty on the DASS to ensure that there are sufficient resources to maintain standards and to discharge statutory functions. Staff must also be supported to maintain their code of practice.

The DASS should also ensure that providers are compliant with their obligations in the Health and Social Care Act 2008 (Regulated Activities) Regulations 2010, namely that there are sufficient skilled, qualified and experienced staff in these settings.

In 2009, ADASS published "*Personalisation and the law: Implementing Putting People First in the current legal framework*". This gives indications of where it is prudent to ensure that there are sufficient registered social workers employed within a local authority to enable it to fulfil its duties of care. Some of the key aspects are as follows:

The over-arching duty of care: "[To all social care clients] ...can be honoured within a personalised system. This will be done through... the understanding of all concerned that safeguarding is a form of risk management which should already be integral to assessment and support planning functions, and... a commitment to providing a backstop service for the few whose experience of a personal budget ultimately fails to meet their needs."

Screening and signposting: “It is lawful and desirable to give apparently capacitated clients enough information, at **first contact**, to enable them to make an informed decision as to whether it is in their interests to continue with assessment, given the means test for any council subsidy of their care or support needs...”

“Staff dealing with first contact need enough social work skill and experience to recognise indicators of mental impairment which may affect insight and understanding of the options, and the processes involved in assessment, so that those applicants may be assured of their right to assessment.”

Resource allocation: “Local authorities already do a form of approximate resource allocation based on social work staff’s consensus about what is right and proper, against a backdrop of a finite amount of money from Members.”

Support planning: “The client must also be given a proportionate amount of help and support to design their own care/support plan, according to their level of mental capacity to deal with the questionnaire exploring the domains of risk to independence, in the absence of social services intervention. There is no need for this help to be given by a qualified social work professional, other than in Mental Health Act cases and where the presenting issues rationally compel such a judgment to be made. An example would be where a person has communication difficulties and his or her supporting circle includes people themselves known to criminal justice, mental health or safeguarding services. Another would be where the person in question must rationally be seen as a person who appears to be deluded about, or otherwise lacking in insight into, their actual situation.”

Local authorities have specific responsibilities for the provision of approved mental health professional (AMHP) services. An AMHP is a social worker, mental health nurse, occupational therapist or psychologist who has received special training to help decide whether people need to be admitted to hospital. They are ‘approved’ to carry out certain duties under the Mental Health Act. Most AMHPs are social workers and bring knowledge, skills and experience to mental health work beyond admissions to hospital.

Section 114, (1) of the Mental Health Act 1983 states “A local social services authority may approve a person to act as an approved mental health professional for the purposes of the Act.”

Subsection (4) allows for national authority by way of regulations to make provision in connection with the giving of approval under sub-section (1).

These regulations are cited as Mental Health (Approved Mental Health Professionals Approval) (England) Regulations 2008 and came into force on 3rd November 2008. (See Regulations 1–8).

It is the director of adult social services, within the local social services authority, who is usually responsible for ensuring the appointment, sufficiency and standards of practice of AMHPs as

laid out in the regulations. This remains the case even where staff are seconded or transferred into NHS trusts, taking with them adult social care powers and duties; ultimate responsibility for ensuring that these powers and duties are exercised appropriately remains with the DASS.

Appendix 2

Social work employers' responsibilities

The Social Work Taskforce recommended that employers should audit themselves against standards and publish the results of this healthcheck, as set out in appendix 1 of the final report.¹ These include effective and pro-active workload management, having the right tools to do the job, a healthy workplace and effective delivery.

Subsequently, the Local Government Association, working on behalf of the Social Work Reform Board, published the Standards for Employers and Supervision Framework.

This states that all employers of social workers should:

- Have in place a social work accountability framework informed by knowledge of good social work practice and the experience and expertise of service users, carers and practitioners.
- Use effective workforce planning systems to make sure the right number of social workers, with the right level of skills and experience, are available to meet current and future service demands.
- Implement transparent systems to manage workload and case allocation to protect service users and practitioners.
- Make sure social workers can do their jobs safely and have the practical tools and resources they need to practise effectively. Employers should assess risks and take action to minimise and prevent them.
- Ensure social workers have regular and appropriate social work supervision.
- Provide opportunities for continuing professional development, as well as access to research and practice guidance.
- Ensure social workers can maintain their professional registration.
- Establish effective partnerships with higher education institutions and other organisations to support the delivery of social work education and continuing professional development.

Supervision should:

- Improve the quality of decision-making and interventions.
- Enable effective line management and organisational accountability.
- Identify and address issues related to caseloads and workload management.
- Help to identify and achieve personal learning, career and development opportunities.

¹ "Building a Safe, Confident Future", SWTF November 2009