

British Association of Social Workers Northern Ireland response to the Department of Health Consultation on Safe and Effective Staffing Legislation in Northern Ireland

Thank you for the opportunity to respond to the Department of Health (the Department) consultation on Safe and Effective Staffing Legislation. BASW NI is part of the British Association of Social Workers (BASW), the largest professional body for social workers in the UK. BASW has 21,000 members employed in frontline, management, academic and research positions in all care settings.

Safe Staffing for Social Work - BASW NI Engagement and Position

BASW NI has been advocating for legislation for social work staffing¹ and welcomes this much needed proposal by the Department to introduce a legislative framework which can contribute to improving the safety and wellbeing of social workers and service users of health and social care services.

In this response BASW NI is cognisant of the Department's Social Work Workforce Review undertaken in 2022² which aimed to determine the number of social workers required to meet the needs of the workforce based on data collection, evidence gathering and analysis of current and projected requirements.

However, we question how the figure of 60 additional social work training places, as recommended by the Workforce Review, was reached. All bodies involved in the process were clear in their assessment that 60 additional social work training places per year would not meet the current vacant posts across the statutory sector never mind meet the demands being placed on the service by new legislative requirements.

The Social Work Workforce Review identified six Strategic Themes: Supply, Safe Staffing, Workforce Planning, Workforce Business Intelligence, Retention and Workforce Development. These were identified as critical to ensuring the provision of a social work workforce related to social work services delivered across all sectors in Northern Ireland, including Health and Social Care, Criminal Justice, Education and the Voluntary, Community and Independent service providers.

A Social Work Workforce Implementation Board³ made up of senior social work leaders was established which includes BASW NI representation. Our role with partners in this group is to ensure the actions identified in the review are achieved.

Strategic Theme 2 in The Social Work Workforce Review identified safe staffing as strategically key in the Social Work Workforce Review and recommended:

¹ [BASW NI political briefings | BASW](#)

² [Social Work Workforce Review Northern Ireland 2022 | Department of Health \(health-ni.gov.uk\)](#)

³ [Social Work Workforce Implementation Board | Department of Health \(health-ni.gov.uk\)](#)

“There should be regional consistency (using agreed workforce data) in the numbers, deployment and use of social work practitioners (including use of title), based on the development of a model to identify normative staffing/safe practice levels for social work services (Rec2B).

Given the complexity of social work roles, responsibilities and specialisms in practice across programmes of care in Children’s, Older People and Mental Health, steering groups were established by the Office of Social Services to look at caseload size and develop safe staffing models on which BASW NI is represented. Similar projects for other programmes of care are expected in due course which we hope representatives of BASW NI will also be able to contribute to.

Safer and Effective Staffing Research and Policy Development Older People’s and Children’s Social Work in Northern Ireland Report 1- The Starting Point: Baseline Analysis was produced in April 2024 (Report 1) ⁴. Via this analysis a conceptual framework, definition, and 10 principles of safe staffing for social work have been set out.

The definition of “Safer and Effective Staffing in social work requires having enough staff with the right knowledge, experience and skills, workload capacity, and flexibility, to respond to service user needs in an efficient, effective, and timely manner. Safer staffing requires regular supportive, reflective supervision and sufficient time to deliver the highest standards of care. This includes having effective and compassionate line management and a supportive Team with adequate skill mix and knowledge to support the wellbeing of all Team members, in particular, early career social workers”.

This definition is incredibly valuable in highlighting that achieving safe staffing is not only about having enough staff. It correctly focuses on the importance of supporting and developing social workers, which as the professional body for social work we endorse. Social work is a value-based profession. As the BASW Code of Ethics highlights, human rights and social justice serve as the motivation and justification for social work action.⁵ Social workers draw on a breadth of knowledge, skills and values to advocate for people who use services and their carers. We are highly skilled professionals who occupy a unique and increasingly challenging position at the interface between health in acute settings and social care in the community. Sufficient time for professional supervision is essential to help social workers develop personally and professionally—especially those at an early stage in the careers, maintain their well-being, enable management oversight, and promote best outcomes for service users.⁶

Social workers must also have time to engage in continuous professional development (CPD) and this should be reflected in their working week. CPD is the reflection and learning activity that social workers undertake throughout their career

⁴ [Safer and Effective Staffing Research and Policy Development Older People’s and Children’s Social Work in Northern Ireland: Report 1- The Starting Point: Baseline Analysis — Ulster University](#)

⁵ [Code of Ethics | BASW](#)

⁶ [Jermaine M Ravalier, Paulina Wegrzynek, Annabel Mitchell, John McGowan, Paula McFadden, Caroline Bald, A Rapid Review of Reflective Supervision in Social Work, *The British Journal of Social Work*, Volume 53, Issue 4, June 2023, Pages 1945–1962](#)

to maintain and improve their practice and is an important part of a social worker's professional standards. CPD can have a number of benefits for social workers, including increased job satisfaction, improved practice, stress management and prevention of burn out, recognition and responsiveness to sector changes, self-awareness, improved partnership working, and career development⁷.

Social workers must be afforded the time within their working week to meet the Northern Ireland Social Care Council (NISCC) requirements for practice training and learning (PRTL,) as this ultimately benefits the public and users of services but also enhances the social workers' skills and knowledge. This should not be viewed as a add on to practice but promoted and supported within a social workers workload.

Report 1 also illustrates the sustained and significant challenges that social work faces regionally in relation to staffing and demand for services. From a policy landscape point of view social work practice has been characterised by increasing volume and complexity. Social work teams across Northern Ireland in all programmes of care are facing unprecedented challenges due to a combination of extreme financial pressures and the introduction of additional statutory responsibilities. BASW NI anticipates the need for hundreds of additional social workers to provide services associated with the implementation of the Adoption and Children Act (Northern Ireland) 2022, the roll-out of the forthcoming Adult Protection Bill, and the continued expansion of primary care multidisciplinary teams. It is vital that adequate numbers of staff and sufficient financial resources are allocated to deliver these new functions.

The Department must also pay particular attention to the bigger picture finding that demand for social work continues to grow considering changing demography and increasing levels of poverty when workforce planning.

Northern Ireland has an ageing population with the number of people over 65 predicted to grow rapidly in the coming decades.⁸ Demographic changes have led to a dramatic increase in referrals to social services and considerable pressure on older people's social workers, who currently comprise 9.9% of the social work workforce⁹. These practitioners work diligently to deliver the best service to those most in need. However, they are increasingly constrained by a shortage of resources available to them, starkly highlighting the imbalance between demand for services and the capacity to meet need.

As part of research on safe staffing by the Office of Social Services we know that all five Health and Social Care Trusts have reported challenges in ensuring sufficient workforce capacity with regard to the recruitment and retention of front-line social work staff in older people's social work. A third of older people's social work teams are not operating in line with their Funded Establishment¹⁰. Furthermore, qualitative data across the region indicate that a review of Funded Establishment has not taken

⁷ [Research in Practice, A guide to continuing professional development \(CPD\) for social workers.](https://www.researchinpractice.org.uk/media/gzwwfdky/cpd_guide_2022_final.pdf)
https://www.researchinpractice.org.uk/media/gzwwfdky/cpd_guide_2022_final.pdf

⁸ [2021-based Interim Population Projections for Northern Ireland | Northern Ireland Statistics and Research Agency \(nisra.gov.uk\)](https://www.nisra.gov.uk/2021-based-interim-population-projections-for-northern-ireland)

⁹ [2024-09-30 Live-Register Overview 30Jun24-Qtr-1 final v1.pdf \(nisra.info\)](https://www.nisra.gov.uk/2024-09-30-live-register-overview-30jun24-qtr-1-final-v1.pdf)

¹⁰ https://pure.ulster.ac.uk/ws/portalfiles/portal/164928887/REPORT_ONE_Safe_Staffing_Research_and_Policy_Development_in_Older_People_s_Social_Work_Children_s_Services_3.pdf

place in at least ten years or longer, so the social work team make up is not reflecting the demand for social work support. This needs an urgent regional systematic review.

Continuation of vacancies in the longer term, is creating ongoing problems and a vicious cycle of risk management and crises intervention with a reduction in the ability to focus on early intervention and prevention. This often has resulted in caseloads of older people reaching unmanageable proportions.

The prevalence of complex cases in older people's services has become commonplace, often arising as result of capacity shortages elsewhere in the system. In particular, a lack of capacity in social care is causing significant knock-on impacts, with unmet demand for social care services leading to an escalation in the severity and complexity of cases. Following this escalation these cases require intensive social work intervention, which in many instances would be avoidable if the issues had been addressed earlier.

It is also important to note that older people's needs are rarely a product of age-related risks alone. They are more likely to be an outcome of life course inequalities including long-term exposure to poverty and poor housing combined with age related health challenges such as living with dementia.¹¹

Research into the prevalence of mental ill health shows a marked incline in the level of need in NI and we know that our mental health strategy requires significant investment to deliver on its aspirations. This is particularly acute within the Approved Social Worker (ASW) service which has been operating at crisis point for some time now. The ASW role is a complex and demanding one which carries huge responsibility and authority, it is a role that social work is proud to carry out. The ASW is tasked with challenging discrimination, ensuring an individual's human rights are maintained and applying their expert understanding of the law as it applies to mental disorder.

As with other areas of social work, poverty and inequality has a huge impact here, and social workers will work with individuals, families and communities experiencing the highest level of deprivation across our community.

There are very real concerns about the high-risk situations ASWs find themselves in when carrying out their Mental Health (Northern Ireland) Order work, their physical and psychological safety is not being met at present. This is leading to unacceptable levels of stress and burnout, and it cannot continue. Some measures have been put in place by the Department and Health and Social Care Trusts which is helping but there is some way to travel to have staff staffing. We know that the system has insufficient inpatient beds and that there are inadequate numbers of ASWs to maintain a seamless 24-hour rota regionally.

Research in Scotland on social worker caseloads is available in the 'Setting the Bar' Report published by Social Work Scotland in 2022. It suggests for adults services

¹¹ <https://www.alzheimers.org.uk/sites/default/files/2023-06/230510-alzheimers-society-briefing-northern-ireland-budget.pdf>

that social workers should have between 20-25 cases.¹² The 'Setting the Bar' report also rightly highlighted the need to be being clear that social work is distinct from, but closely bound up with, social care and that investment in both of the social work and social care workforces is required if their respective unique roles were to be fulfilled to the standards the public expect.

Social Worker data shows that the greatest number of Social Workers (26.2%) continue to work in services for Family & Child Care¹³, indicating their critical role in supporting vulnerable families and children. The analysis in Report 1 rightly identified systemic problems that demand systemic solutions. We heard this same message from the Northern Ireland Independent Review of Children's Social Care Services in June 2023.¹⁴

BASW NI is committed to improving social work practice and the lives of children and families. As child welfare professionals and as a society, we must find the best ways to ensure children are receiving the support and protection they need and deserve.

The wellbeing, welfare and best interests of children must be paramount, and the government must provide long term sustainable investment to all parts of children's social care. We remain in our view that radical reform of the Children's Social Care system is needed in Northern Ireland as per our response to the Independent Review of Children's Social Care¹⁵

Caseloads have incrementally grown in Family and Childcare, without a parallel growth in the workforce. There have been long-standing challenges concerning staff shortages which continue to have a significant impact on the delivery of statutory functions across the Health and Social Care Trusts. Staff retention in this area of practice has been consistently difficult for many years and BASW NI's engagement with senior leaders in the Health and Social Care Trusts indicates that the recently reported reduction in the social work vacancy rate to 5.4%¹⁶ is not reflective of the situation in many children's services teams.

BASW NI has been informed of current vacancy rates in Family Intervention teams of 30-35% and vacancy rates exceeding 40% in Looked After Children's Services. This scenario is untenable and results in social workers bearing extreme pressure while they deliver vital services across Northern Ireland. The number of children and young people on the Child Protection Register and Looked After Children continues to grow¹⁷. On 30 June 2024, 2,245 children were on the child protection register in Northern Ireland, an increase of 5.1% since 30 June 2023. On the 31 March 2023, 3,801 children and young people were in care in Northern Ireland. This was the

¹² [Setting the Bar: towards an indicative maximum caseload for Scotland's public sector social workers - Social Work Scotland](#)

¹³ [20240930_Live-Register_Overview_30Jun24-Qtr-1_final_v1.pdf \(nisc.info\)](#)

¹⁴ [Report of the Independent Review of Children's Social Care Services in Northern Ireland | CSCS NI Review \(cscsreviewni.net\)](#)

¹⁵ [basw.co.uk/sites/default/files/2023-11/BASW NI response to the Independent Review of Children's Social Care Services- initial consultation on the recommendations_0.pdf](#)

¹⁶ <https://www.health-ni.gov.uk/publications/northern-ireland-health-and-social-care-hsc-active-recruitment-statistics-june-2024>

¹⁷ [Quarterly child protection statistics \(nisra.gov.uk\)](#)

highest number recorded since the introduction of The Children (Northern Ireland) Order¹⁸.

This is a trend which is unlikely to be reversed without targeted, cross-departmentally coordinated, well-resourced interventions to address the social problems associated with the growing complexity of cases. These include but are not limited to high levels of deprivation, domestic violence, drug and alcohol misuse and mental ill health.

Diary entries gathered as part of the evidence base in Report 1 show instances of social workers working six-day weeks in Children's Services¹⁹. Despite working beyond their contracted hours, these social workers explain they feel they don't have enough time to do everything asked of them, citing the pressure of mounting waiting lists, unallocated cases, and a new normal of crisis response working.

The Scottish 'Setting the Bar' report suggested a caseload of no more than 15 cases for Family and Childcare social workers. This is a benchmark worth considering as Northern Ireland research continues with the aim of determining what safe caseloads look like in this demanding area of social work practice.²⁰

Development of Safe Staffing in Social Work Policy in advance of Safe Staffing Legislation in Northern Ireland is expected to be produced as an output of ongoing work commissioned by the Office of Social Services. BASW NI is supportive of having this robust evidence base for developing such an important piece of legislation for the social work profession.

While we fully support legislation for safe and effective staffing in social work there are, however, matters which our members contend must be considered at the consultation and drafting stage. We are seeking further consultation with the Department on safe staffing for social work as this legislative work progresses over the coming months.

BASW NI will refer to the proposals made under the following headings.

1. Guiding Principles of Safe and Effective Staffing
2. Workforce Planning
3. Common Staffing Method
4. Reporting and Monitoring

1.Guiding Principles of Safe and Effective Staffing

BASW NI is supportive of the legislative guiding principles for staffing in health and social care in Northern Ireland similar to those outlined in the Health and Care (Staffing) (Scotland) Act 2019. However, the principles need to reflect the integrated nature of health and social care in Northern Ireland. Social workers often work in multi-disciplinary teams and a whole systems approach to workforce planning that

¹⁸ [Children's Social Care Statistics for Northern Ireland 2022/23 | Northern Ireland Executive](#)

¹⁹ [https://pure.ulster.ac.uk/ws/portalfiles/portal/164928887/REPORT ONE Safe Staffing Research and Policy Development in Older People s Social Work Children s Services 3 .pdf](https://pure.ulster.ac.uk/ws/portalfiles/portal/164928887/REPORT_ONE_Safe_Staffing_Research_and_Policy_Development_in_Older_People_s_Social_Work_Children_s_Services_3_.pdf) p.179

²⁰ [Setting the Bar: towards an indicative maximum caseload for Scotland's public sector social workers - Social Work Scotland](#)

captures the collective approach to delivery of care, including the vital role that social work plays, needs to be taken into account. The guiding principles also need to apply when services are provided across care settings, including those delivered by the community and voluntary and independent sectors.

We have referred to the regionally agreed definition of Safer and Effective Staffing for Social Work as per the Phase 1 Report and agree with the ten principles included in Phase 1 report as follows:

- Principle 1: *Workforce Capacity*—Funding adequate workforce capacity
- Principle 2: *Workload within Capacity*—Team and individual social worker workload within capacity ensuring trust, integrity, transparency, fairness and equity
- Principle 3: *Skill-mix*—Skill-mix, knowledge and experience
- Principle 4: *Compassionate Leadership*, Compassionate and effective leadership
- *Principle 5: Wellbeing*—Staff wellbeing and psychological safety
- Principle 6: *Camaraderie*—Team camaraderie and support
- Principle 7: *Governance*—Good governance including corporate governance, supervision and waiting list management
- Principle 8: *Interventions*—Timely flexible efficient and effective social work interventions in line with professional Codes of Conduct as set by Northern Ireland Social Care Council
- Principle 9: *Regular Review*—Regular review of workloads during supervision
- Principle 10: *Closure*—Closure of cases in a timely manner

The concept of the three C's; Capacity, Communication and Connection summaries what social workers in Children and Older People's services have explained they need to have for safer and effective staffing in social work. The three C's are interconnected and for BASW NI members are essential for social work to feel safe and effective. It is understood that this will provide a conceptual framework for the recommendations expected in the next phase of research in Report 2.

2. Workforce Planning

BASW NI agree with the proposal to introduce a legal requirement on the Department to apply evidence-based strategic workforce planning. As per the general duties to provide health and social care services placed on the Department under Section 2 of the Health and Social Care (Reform) Act (Northern Ireland) 2009 there is an implicit legal duty rather than an explicit one. BASW NI believe that an explicit duty is required which sets out duties expressly.

An evidence base to workforce plan for social work is needed as the Phase 1 report demonstrates. Significantly however for social work the systemic analysis identifies systemic problems that require systemic solutions.²¹ This starts with an acknowledgement that there are system issues that cannot be put solely on social

²¹https://pure.ulster.ac.uk/ws/portalfiles/portal/164928887/REPORT_ONE_Safe_Staffing_Research_and_Policy_Development_in_Older_People_s_Social_Work_Children_s_Services_3_.pdf

workers anymore, that burden must be acknowledged and shared by decision makers and legislators.

We need to have honest conversations about projected need in Northern Ireland across children's and adult services, social workers cannot be expected to do more with less anymore. Training provision needs to meet current and anticipated gaps in service delivery using evidence-based planning. A frank discussion about how we fund more social work training places and support our student social workers who are currently struggling financially and are at risk of dropping out of their studies is also required²².

Health and Social Care Trusts and health agencies should have a legal requirement to operationally workforce plan. The Scottish legislation outlines the factors that need to be considered in identifying appropriate numbers of staff and methodology for real-time assessment of its compliance with the duty to have those appropriate numbers of staff in situ. Under the Act relevant organisations must encourage and enable staff to identify and escalate risks caused by staffing levels. Individuals in leadership positions have a role in risk management and mitigation including escalation up through the organisation as appropriate. Importantly the legislation imposes a duty on the Scottish Government to ensure they have sufficient numbers of professionals available to enable employers to meet their duty to ensure safe staffing.

There should be a single, principal health and social workforce plan for Northern Ireland, so the health and social care system works holistically to reflect the health and social care needs of the population in a person-centred way. BASW NI is of that view that this overarching health and social care workforce plan should also be informed by an evidence informed process that involves defining and assessing the needs of the community, including clear consideration of workforce needs across each of the Health and Social Care Trusts. This overarching plan needs to connect into the Programme for Government outcomes if our health and social care service is ever to be truly transformed and put on a sustainable footing into the future.

Safe staffing legislation for Northern Ireland must place clear duties on the Minister of Health, the Department, Health and Social Care Trust employers and independent sector providers to workforce plan. In BASW NI's view a single integrated duty would be desirable. Integrated thinking in all aspects of our health and social care system is needed.

There should be a legislative requirement on the Department to carry out workforce reviews every ten years and conduct interim evaluations every three years in order to keep workforce planning up to date and to meet evolving population needs. There should be a legislative duty on the Department to take all reasonable steps to ensure implementation of workforce reviews. An annual duty should be placed upon the Minister to review the commissioning of social work training places for social work by the Department and a review of the financial support provided.

²² [Campaign to increase the Social Work Student Incentive Scheme: The case for change | BASW](#)

3.Common Staffing Method

A statutory duty should be placed on the Department and Health and Social Care Trusts to utilise common staffing methods for social work. BASW NI agree with the proposal to place a statutory duty on the Department to consult with professional bodies, including BASW NI, when developing common staffing methods across the full range of professional disciplines.

The Department should have a statutory duty placed on it to utilise common staffing methods across the full range of social work and social care settings including, but not limited to, nursing and care homes, residential homes, respite care, day centres and day opportunities, and domiciliary care services provided both by statutory services and by the independent sector. The specific context and requirements of social work and social care and the interface between these two distinct areas of practice in these settings needs to be understood. Given that social workers will be in the position of monitoring these common staffing methods across a range of social work and social care settings it is vital the profession is fully involved in the development of the methods.

The proposal to place a statutory duty on all providers of public health and social care services in Northern Ireland to take all reasonable steps to always ensure that suitably qualified and competent individuals, from such a range of professional disciplines as necessary, are working in such numbers as are appropriate for the health, wellbeing, and safety of patients, the provision of safe and high-quality health care, and in so far as it affects either of those matters, the wellbeing of staff is welcome. However, we would welcome more specific targets to meet the demographic challenges facing social work. Specific long-term planning and funding for the implementation of the legislation will be required to see any real change in front line social work for both practitioners and the people social workers work with. The related duty placed on the Department to ensure sufficient numbers of staff are available is integral to this proposal and the commissioning of social work training places across our Universities and Further Education Colleges is critical to workforce planning and needs to be kept under close scrutiny.

BASW NI is supportive of what we view as a vital proposal to place a statutory duty on the Department and Health & Social Care Trusts to take all reasonable steps to ensure there are sufficient numbers of the professional disciplines set out in Appendix 2 including social work.

Work is ongoing in relation to common staffing methods for social work. This is a complex task, and it will be difficult to determine a single tool for common staffing methods for social work due to the range and diversity of social work programmes of care and settings. Several caseload weighting models already exist across services and teams. Some of these are very innovative models of managing referral and service demands whilst keeping staff and service users safe.

We welcome the inclusion of BASW NI representatives and a wide range of social work professionals in looking at safe staffing models as part of the Phase 2 work. We believe that any agreed tool will need to be kept under review as it must be up to date and relevant for contemporary social work practice which is always evolving.

Any agreed approach will only be deliverable and supported by sufficient training for staff and resourcing.

When common staffing methods for social work are developed, the primary legislation should require the Department to give them legal effect and force via secondary legislation, placing duties on employers to apply the common staffing methods for social work across the diverse range of settings they are operational in.

Health and social care services in Northern Ireland are provided by not only the public sector, but also via the commissioning and procuring of services from the independent sector, community and voluntary sector and from social enterprises. Safe staffing should become a condition of the commissioning and procurement of services to ensure that safe staffing is mainstreamed across all aspects of health and social care provision.

4. Reporting and Monitoring

Reporting duties should be placed on both employers and the Department. For employers, given BASW NI's preference for a single integrated duty to workforce plan, they should be required to report to the Department within one month of the end of the financial year. Given how busy staff are, however, the reporting duties need to be as streamlined as possible. These reports should also be published and discussed in public session. For care providers, their report should be to the relevant Health and Social Care Trust that commissions their services from them and should then be integrated into the relevant Trust's report.

The Department should be required, as soon as is reasonably practicable after the end of the fiscal year; to report to the Northern Ireland Assembly setting out how the Department and the wider Executive have complied with their duties.

The legislation should also require that this report sets out how the Department's and wider Executive's actions have enabled employers to comply with their own duties and what actions will be taken for the following fiscal year. This report should comprise both health and social care provision. The report should be debated in the Assembly and scrutinized by members of the Health Committee.

During member consultation we have been advised that within existing staff governance requirements and standards there are sufficient processes and systems in place to allow concerns regarding safe and effective staffing to be raised. Systems are in place to support safe practice and raise concerns, but these are not resulting in a change in practice. This point is significant and reinforces our view that this requires regional systemic overview, and legislative duties must extend to the Northern Ireland Government. Social Workers and the people they serve now need to see the political prioritisation of safe social work service delivery by the Northern Ireland Assembly and Executive. Social workers need a stable Government issuing a multiyear budget for Northern Ireland, with specific financial commitments to children's and adult social care reform.

BASW NI is of the view that public service austerity has driven social work services to breaking point, fundamentally undermining social protection for the poorest and most marginalised. Legislative and policy reform around this important issue of safer staffing and financial investment go hand in hand—one will not be effective without the other.

BASW NI looks forward to continued engagement with the Department on these issues and if you would like any further information or to arrange a meeting to discuss this response, please contact Noeleen Higgins, BASW NI Professional Officer and Registered Social Worker, noeleen.higgins@basw.co.uk / 07435289912.