

**Personal Assistant (PA) Programme Board – 26 October 2021**

<b>Co-Chair</b>	Donald Macleod, Self-Directed Support Scotland (SDSS) Ian Turner, Scottish Government
<b>Date</b>	26 October, 2021
<b>Time</b>	10.00 – 12:00 am
<b>Location</b>	MS Teams

<b>Attendees</b>	<b>Organisation</b>
Alison Upton	Scottish Social Services Council (SSSC)
Kevin Stewart MSP	Scottish Government
Linda Beath	Scottish Government (Minutes)
Don Morrison	Scottish Government
Toria Fraser	Scottish Government
Susan Brodie	Scottish Government
Les Watson	Personal Assistant Network Scotland, WEA
Ailsa McAllister	Social Work Scotland
Hannah Ross	COSLA
Lyn Pornaro	Lothian Centre for Inclusive Living (LCiL)
Pete Lang	Scotland Excel
Emily Russell	Scottish Government
Sharon McLeod	Ayrshire Independent Living Network (AILN)
Dr. Charlotte Pearson	University of Glasgow
Pauline Nolan	Inclusion Scotland
Linda Wilson	Unite the Union
Grace Robertson	Matter Of Focus
Simon Bradstreet	Matter Of Focus
Kiren Zubairi	Scottish Government
Donna Murray	Self-employed Personal Assistant
Eilidh MacDonald	CarrGom
Peter Scott	Independent Living Fund Scotland
Joanne McGee	SDSS (Take Control)
Fiona Davidson	Unison
Mariane Scobie	Glasgow Disability Alliance
Dr Jim Elder-Woodward, OBE	Independent Living Movement
Karen Young	Scottish Government
Colin Millar	Scottish Personal Assistants Employers Network SPAEN
Anne Marie Monaghan	Independent Living Movement
<b>Apologies</b>	
Jack Blaik	Scottish Government
Jeremy Adderley	SDSS

## Items and Actions

### Welcome and Introductions

Donald Macleod, as one of the co-chairs welcomed group members to the second meeting of the Personal Assistants (PA) Programme Board and thanked everyone for their interest in this essential work. He welcomed Hannah Ross who has replaced Clare Thomas from COSLA.

Donald explained that the Board's work must respect the unique value of the PA role and relationship with their employer.

Donald introduced Ian Turner who has recently been appointed as Deputy Director for Social Care Workforce Planning, Development and Improvement Division within the Scottish Government. The Division will focus on recruitment, training and fair work in social care. Ian has replaced Anna Kynaston, as the Co-chair on the PA Programme Board.

Ian advised that he and Anna Kynaston will work closely regarding the implementation of the National Care Service (NCS). Within the consultation there is a key question relating to the registration of PAs. The consultation closes on 2 November 2021 and responses will need to be analysed before any decisions are taken in respect of legislation.

A question was asked by the group regarding what methods are being used for analysis and how is it being done. Scottish Government officials confirmed that the NCS consultation analysis will be carried out by an independent organisation. The Scottish Government intend to produce a report on the consultation during the first quarter of 2022.

Donald Macleod stated that any non-salaried attendee of the Programme Board who wishes to claim expenses or any subsequent meeting should contact Don Morrison ([Don.Morrison@gov.scot](mailto:Don.Morrison@gov.scot)) or Linda Beath ([Linda.Beath@gov.scot](mailto:Linda.Beath@gov.scot)) at the Scottish Government.

### Previous Minutes

There were no requests to change the minutes of the last meeting. Donald advised that these have been published on the PA Programme Board page of the SDSS website [Personal Assistant Programme Board - Self Directed Support Scotland | Self Directed Support Scotland \(sdsscotland.org.uk\)](https://sdsscotland.org.uk). However, it was noted that the Fair Work Convention slides had not yet been circulated. Donald stated that these would be put on the SDSS website.

### Progress update/successes since last meeting

Toria provided an update on the following issues. These updates will form a regular part of the Programme Board and should be provided by members in advance to inform the ongoing policy development:

#### Recruitment

Profile of the profession

- Myjobscotland (MJS) website is to create a PA jobs page which will give links to existing sites that promote PA vacancies.

**Action: Any stakeholder who wants their regional vacancies to be advertised nationally please send their web link to the PA team, Toria Fraser, Don Morrison or Linda Beath.**

**SDSS together with the SG PA team to work with MJS to discuss the PA jobs page All Programme Board members to prepare an update of the key work they have achieved in support of PAs since the last Board meeting. This will be used to create a Programme Board newsletter.**

- Website: [There's more to care than caring - Adult Social Care \(caretocare.scot\)](http://caretocare.scot) - From mid-November 2021, it is to have PA case studies and a day in the life example, as well as a link to MJS.
- The Census has confirmed that the PA profession will be a category that can be chosen in the 2022 survey. They cannot confirm whether data can be published.
- PVG: the Disclosure (Scotland) Act 2020 will be fully implemented in 2024, at which time it will become mandatory for non-family member PAs under section 73 of the Act. A PA will be able to apply giving their profession as a PA, this data will be collated to give an aggregated number of applications per period and the employer will receive a scheme membership statement of the person's suitability to work.

**Action: at an appropriate time Disclosure Scotland will be invited to come and present to the Board**

- Public facing communications - Recognition that many people come into social care from all backgrounds including informal care. We need to ensure the profession of PAs is widely recognised as part of the social care workforce. Note that Donald has written a think piece for the Alliance [Future of Social Care - Getting it right for PAs - Health and Social Care Alliance Scotland \(alliance-scotland.org.uk\)](http://alliance-scotland.org.uk)

**Action: all PA Programme Board members to continue to work to raise profile and they are invited to share any public facing articles which others can retweet.**

### Recruitment and Retention

- Fair Work in Social Care meetings on wage uplift –

There was an announcement by Cabinet Secretary relating to a pay uplift from £9.51 to £10.02 for workers involved in “direct care” in Adult Social Care with effect from 1 December 2021. PAs in adult social care will be included in this policy. Discussions are ongoing as to how the financial uplift is going to be delivered to PAs. The PA sub group have met twice on 4th and 19th October and are to meet again on 2 November 2021.

- The Chair met the Deputy Chief Social Work Adviser (CSWA) and other Chief Social Work Officers and they said that they valued the spotlight being shone on PAs. The following quote refers: 'Deputy CSWA welcomes creation of a PA Programme Board to recognise the importance of this valuable workforce and explore their contribution as part of the social care workforce'.

**Action: Chairs are to be invited to speak about PAs to full CSWO network in November (post meeting editor's note: SWS is to set up a meeting with Adult Standing Committee early in new year)**

- Self-employment – Social Work Scotland have shared a Low Income Tax Reform Group factsheet with partners to ask if it allows them to more confidently advise their workforce in this respect. They've also asked for some examples of self-employed PAs to test the facts against the available guidance to identify any substantive issues. HMRC is interested to receive any feedback.
- PA Banks - An initial meeting was held on 23 September 2021 with Perth & Kinross and Moray Council representatives regarding setting up regional PA banks. Discussions to see what can be done to progress this initiative will continue.

### **Training – work underway which is relevant and best practice to aspire to**

After discussion with SSSC SG inform that:

- With others SG is working to develop an entry level induction framework. This would include some specific Open Badges for the whole social care workforce that will be open access and accessible for PAs.
- There should be the availability of Continuous Professional Development for PAs which should be flexible and can be fitted around the needs of PA and PA employer.
- The self-directed support budget should include paid time to enable PAs to dedicate to training.
- The individual PA should own their own record of training achieved.
- PAs are able to use the MyLearning App as a means to record their training achieved including any Open Badges.
- Training should be available across Scotland. There are different manual handling programmes available to social care staff and PAs across Scotland.
- Open badges are a mechanism to certify the application of learning. The PA would use anonymised examples to demonstrate their application of learning. Then the assessment is on the evidence of the learning being used in an applied situation.
- Career progression linked to training.
- The LA need to be clear that the PAs working for their direct payment recipients will only provide the best care if they can access training.
- PAs can already be doing these badges and should be encouraged to do so.
- Open Badges and MyLearning App are very successful and well used.

**Suggested actions: To table a discussion on training framework.**

**To invite SSSC to present to the PA Programme Board after identifying learning resources and open badges that could be applicable to the PA role and create a simple framework to map the badges to.**

## **Research and data**

Pete Lang from Scotland Excel delivered a presentation on the analysis that had been done in the light of the processing of the £500 social care bonus to PAs. The analysis showed the number of applications for the bonus broken down by gender, age and local authority area. This information was shared prior to the meeting. It was observed that in rural areas there are more Option 1 users which is due to a lack of care services. Conversely, in more densely populated areas, Local Authorities appear to be directing those who need support towards contracted care providers.

Payroll providers clarified that, once they have advised employers of the uplift, the employers will be required to instruct payroll providers to apply the uplift to their PA. Another payroll provider welcomed the uplift, but advised that some localities currently pay PAs in excess of the current minimum rate.

- Analysis of research into HSCP direct payments: Ailsa spoke about the 12th standard and Social Work Scotland work in relation to direct payments. They are to develop some form of benchmark as to what has to be included and to have the right people around the table to address inconsistencies. Donna gave details of the work she has done in relation to direct payment analysis.
- Other research which colleagues may be interested in includes the Sheffield City Council work on pay scales (focusing people on the top lines as a way of giving profile to the profession and the attrition rate 18%) [https://mcusercontent.com/fbeb53b148f88c51f8949fdb/files/dc81facd-7beb-9a5e-7106-86897ad2cfcc/Individual\\_Employer\\_Pay\\_Scale\\_Report\\_Survey\\_Interview\\_Findings\\_Abridged\\_.pdf](https://mcusercontent.com/fbeb53b148f88c51f8949fdb/files/dc81facd-7beb-9a5e-7106-86897ad2cfcc/Individual_Employer_Pay_Scale_Report_Survey_Interview_Findings_Abridged_.pdf)
- Also the Welsh have got some research into PAs to come out next year which will be useful for our PA work in Scotland <https://wihsc.southwales.ac.uk/news/2021/research-employment-personal-assistants-social-care/>.

## **PA Network update**

Les Watson delivered a short presentation on the work of the PA Network. Les confirmed they deliver training courses and provide mediation services. He stated that mediation does work but there is an issue in getting people to contact PA Network before the problems escalate. Les is open to any suggestions as to how the PA Network can help to move things forward for PAs. However, he does have concerns regarding the use of the word “regulation”. Toria asked everyone on the meeting to think about what other services the PA Network could deliver for PAs.

**Action: PA Board members to email suggestions to SG PA team**

## **Update from SSSC**

Ali Upton gave a progress update on the SSSC work. They now have an outcomes map which provides a narrative description of the role and contribution of PAs at its best. Ali thanked Les and Donna for the additional support they have provided in testing the map with PAs. The feedback from testing is that the map could be used as a communication / training tool for Social Workers and for PA employers/PAs. As such, it feeds into the broader mapping work the Programme Board has done with Matter of Focus (MOF).

A question was asked around confidentiality and professional boundaries and it was agreed that it would be valuable to have a broad discussion about the training needs identified by PAs and the independent living movement.

The slides for this presentation had been shared prior to the meeting and Donald advised that they would also be published on the SDSS website.

**Action: SSSC to facilitate an agenda item at the next Programme Board to allow a full discussion about the training needs for PAs.**

**SSSC to share with PA Programme Board, Support in the Right Direction projects, CILs and Disabled People Organisations (DPOs) any workforce development opportunities for PAs and their employers.**

## **Reflections**

The group were asked to reflect on the context of the involvement of Matter of Focus, on the PA Programme Board's principles of engagement and of the imbalance with greater focus on the PA employer over the PA. In connection with this, Jim Elder Woodward had sent in these principles for consideration by the Group.

- Will this decision/recommendation in any way undermine the agency of the disabled person as the employer of their own personal assistants?
- Will this decision/recommendation further increase bureaucracy around the employment of PAs by disabled people?
- Is this decision/recommendation proportionate to the issue it is trying to address?
- Does this decision/recommendation have the support of the independent living movement in Scotland? If not, are we content to proceed in the knowledge that it will not have this support?

Donald thanked Jim for sending in these principles and members agreed that they should be added to the PA Programme Board terms of reference.

**Action: Secretariat to update the Terms of Reference with these principles.**

## **Outcome of Matter of Focus workshops**

Simon Bradstreet delivered a presentation which provided a summary of the three workshops facilitated by Matter of Focus (MOF), key findings, an overview of the 2 outcome maps and next steps.

The project involved working collaboratively with those with lived experience and stakeholders to develop outcome maps. The PowerPoint slides of this presentation were circulated to the group.

The aim is to build a common understanding of how PAs can become a more recognised and valued part of the social care workforce.

A larger PA Programme Board meeting is scheduled for 25 November 2021. A larger representation from the independent living movement is expected to attend to give their views. Following that final meeting, the Co-Chairs will conclude the PA Programme Board's advice and submit this to the Minister.

Donald welcomed Kevin Stewart, the Minister for Mental Wellbeing and Social Care, to the meeting.

### **Minister for Mental Wellbeing and Social Care, Kevin Stewart**

Mr Stewart thanked the group for the invitation to attend this meeting. He stated that he was very glad to be able to hear for himself about the issues affecting PAs.

The Minister thanked everyone who was involved in delivering the social care £500 bonus payment for their hard work and support with the PA £500 thank you payment. It was an extremely challenging piece of work to reach this geographically complex and diverse workforce. He acknowledged that PAs perform extremely important work.

There is a need to "do right" by both the employer and employee. There is a need for training to help employers understand their duty of care and rights and responsibilities to their employee.

The Minister stated that any recommendations from this group or the NCS consultation should not be detrimental to the relationship between PA and employer. He applauded the group for the work done to date and stressed that it is extremely important to get right especially in light of the NCS.

The Minister encouraged members of the group and their networks to engage with the NCS consultation. He asked that they take the time to share their views as what they have to say would be invaluable. The aim of the Scottish Government consultation is to reach as wide an audience as possible.

### **AOB / Date of next meeting**

The Chair thanked members for attending and for their contributions to the discussion. The next meeting of the Programme Board is 25 November 2021.