

PE1808/E

Scottish Government submission of 20 January 2021

In consideration of the request from the Petitions Committee for further information, the following response is provided.

Delivery of social care is the responsibility of local government, Scottish Government is not an employer or contractor of social care services. While employment law remains Reserved to the UK Government, the Scottish Government is using its Fair Work policy to drive fairer work practices across Scotland's labour market.

One of the initial priorities for the Fair Work in Social Care Group has been to examine ways to enhance fair work for the social care workforce, using the recommendations of the Fair Work Convention (FWC) report on social care as a starting point.

Social care provider organisations and Trade Unions are represented on the Fair Work in Social Care Group and they are working together to develop advice on taking forward FWC recommendations. The work of the group includes consideration of how best to ensure that social care workers have an effective voice and the development of a collective bargaining role in the sector.

The recommendations of the Fair Work in Social Care Group are currently being developed and will be finalised following the Independent Review of Adult Social Care, which will report at the end of January. The Independent Review is considering what changes are needed to improve support for people who use adult social care support, their families, their carers and the workforce. As part of the Independent Review of Adult Social Care's extensive engagement process, Derek Feeley, the Chair of the Review, has met with trade union representatives on a monthly basis and has also attended member meetings of GMB, Unite and Unison to hear about workers' experiences first-hand.

The Scottish Government is committed to using the recommendations from the Independent Review of Adult Social Care to be made at the end of January to inform our plans for longstanding, sustainable improvements to adult social care and to ensure that workers in care homes and the wider social care sector are better supported.

Given that Scottish Government does not direct or delivery social care support, we continue to work in partnership with local government and the third and private sector to support fair work practices.

The Scottish Government's Public Sector Pay Policy covers 49 public sector bodies and requires those public bodies to pay the real Living Wage. Employers meet the cost of the Public Sector Pay Policy through their Budget allocation.

Large parts of the public sector, such as local government and the NHS are not directly covered by the Scottish Government's pay policy and pay is determined separately for these groups, although often in line with the Scottish Government's pay policy and - in some cases - with some Ministerial control.

For other groups within the public sector, the degree of influence of the Scottish Government varies. The public sector pay policy acts as a benchmark for pay negotiations, but is not automatically implemented. For NHS staff, the Scottish Government takes advice from the NHS Pay Review Body, but can opt to adopt a different pay policy if it chooses. At the other extreme, the Scottish Government has no direct influence over the pay of one of the largest groups of public sector employees – local government staff.

Since 2015-16, funding has been provided to integration authorities to support costs faced by the social care sector, including the implementation and delivery of the Living Wage. . In 2020 an additional £8.8m was provided to Integration Authorities to deliver the real living wage commitment quickly given the pandemic situation. In 2020-21, an additional £100 million was provided from the Scottish Government's Health Portfolio, taking total investment since 2015-16 to £811 million. This new investment included £25 million of additional funding specifically targeted to ensure continued delivery of the Living Wage.

Social Care

Social care workers have a range of employers across the public, private and third sector who determine their terms and conditions.

Health and Local Government

For NHS staff in Scotland, a three year pay deal was agreed in 2018 covering 2018-19 to 2020-21. The provided a cumulative 9% uplift made up of 3% in 2018-19, 2.8% in 2019-20 and 2.95% in 2020-21. There is also a three year pay deal in place for local government staff in Scotland, which awarded pay rises of 3.5% in 2018-19 (for those earning up to £80,000), followed by increases for all staff of 3% in 2019-20 and 2020-21.