



## **UNISON Scotland Evidence: Disabled Children and Young People (Transitions to Adulthood) (Scotland) Bill January 2021**

### **Introduction**

UNISON is Scotland's largest trade union with members across the public, private and voluntary sectors. UNISON represents the staff in early years settings, schools, colleges and universities who provide support for disabled children. Members also work in a range of roles in local authority children's social work teams and in many third sector organisations who support disabled children and adults. UNISON, because of its democratic structures, is able to collate and analyse members' experiences to provide evidence to inform the policy making process. We therefore welcome the opportunity to submit evidence to the committee regarding Disabled Children and Young People (Transitions to Adulthood) (Scotland) Bill.

### **Evidence**

UNISON welcomes the aims of this Bill and the recognition of the challenges that many disabled young people face as they transition into adult life. In particular, we support the moves to ensure a senior member of the government is accountable for implementation. The key part of the stated aim of the bill is "to ensure that each disabled child and young person receives appropriate care and support before, and during, the transition to adulthood." We are concerned that this will not be achieved without substantial extra resources to both enable the development of plans and more fundamentally to enable the plans to be realised. Cuts to budgets, in particular local government budgets, mean that many of the services that should provide this support are under enormous pressure. Therefore, without substantial funding for services little may change.

### **The plans**

- This proposal must not be reduced to a tick box exercise. The plans must be to working documents which inform decisions and provision of services for children and young people.
- Any plans that are established as part of the strategy should include a projected time span for monitoring and evaluation purposes and outline where the responsibility for implementation lies for this.
- Support for disabled children and young people should take into consideration their thoughts/needs and rights when shaping any potential provision to support transitions. Young people must be fully involved in developing their plans.
- Continuity and longevity of any proposed strategy needs to be outlined and robust. Too often services and support that young disabled people receive are subject to short term funding sources that are discontinued.
- Services proposed as part of any strategy are best provided by the public sector to ensure quality assurance/sustainability and continuity

### **Implementing the plans**

Scotland is not short of high level commitments to rights, principles or frameworks. Currently the challenge is in providing the correct services and support to ensure that these are implemented in ways that lead to improvements in children and young people's lives. This committee has spent a great deal of time recently investigating the support for children with ASN in our schools and has found that a great deal more remains to be done to ensure that the widely supported ambitions from Education (Additional Support for Learning) (Scotland) Act (2004) can be achieved.

Alongside that we have The Equalities Act 2010, Public Sector Equalities Duties. The United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Bill, is underway meaning UNCRC will be incorporated into domestic law. We also have Getting It Right For Every Child and of course the SHANNARI factors. What is missing is the funding to provide the services to realise these rights. So while UNISON supports the aims of the Bill but we want to see action beyond another set of rights to ensure the actual realisation of the rights.

The proposal states

“Introducing transitions plans through this legislation **will help to ensure that the opportunities available to disabled children and young people to access, for example, employment, training and educational opportunities are significantly increased.** These plans will provide that appropriate planning is put in place **to identify these opportunities, and to ensure that each disabled child and young person is able to access such opportunities,** and to achieve a positive destination.”

The reality is often that these opportunities **don't exist**, particularly for young people with the most complex needs. A great deal more needs to be done to create the opportunities before the plan can ensure that people can access them.

Finding opportunities for young people will take time for the team involved. Too few employers meet their obligation to employ people with disabilities. There needs to be more challenge to those employers.

The public sector also has a role to play as an employer particularly in terms of apprenticeships and training opportunities. The public sector should also be providing opportunities to realise the plans in terms of employment and training opportunities for disabled people as part of their duty to promote equalities. Procurement by public bodies should also be used as a route to ensure that companies comply with their duties to employ disabled people and to put reasonable adjustment in place once people take up employment and training opportunities.

### **Impact of budget cuts**

The substantial cuts that local authorities have faced in recent years are having a serious impact on the resources available to support people with a range of additional support needs. Resources will be needed to support the creation of the plans. This will involve bringing the whole team of people, the young person and their carers together with a range of bodies like Skills Development Scotland and universities and colleges locally. As we have stated in a range of submissions to the committee cuts to local government funding mean that remaining staff in schools and early years are already under enormous workload pressures. The same is also true in social work teams.

UNISON has tracked some of the impact that this has had on services and the UNISON members who provide them staff through our 'Damage' series of reports<sup>1</sup>

In this year's Scottish Government budget, in straight cash terms local government funding increased. The real picture however was that the discretionary spending capacity of Councils was almost unchanged – while they were given additional spending commitments by the Scottish Government. COSLA claim this amounted to a 2% or £205million cut in real terms in revenue funding for Local Government.<sup>2</sup> As Audit Scotland pointed out councils were drawing on their reserves already (the net draw was £45m in 2018/19).<sup>3</sup>

The scale of this crisis is entirely unprecedented. Between the difficulties councils were facing before the pandemic and the impact of Coronavirus in terms of additional costs and lost income councils are looking at a financial gap of at least £1bn.

To give an idea of the scale of this shortfall. It means a cut to social work budgets across Scotland amounting to the wages of 13 400 Care Assistants or 6 300 Occupational Therapists, Education budgets would go down by a sum which would be the wage equivalent of 30 000 Support for Learning Workers. Culture and Leisure budgets would go down by a sum which would pay 3500 Library Assistants.

Our Most Recent full survey<sup>4</sup> of social work staff (pre COVID crisis) showed

- 76% of respondents stated their teams did not have enough staff
- 82% stated their workload had got heavier in the last few years
- 89% of staff are working late and skipping skipping breaks to keep on top of their workload
- Two thirds of staff had experienced physical or verbal abuse at work
- One third describe morale in their teams as poor and a further 26% as very poor
- Almost a third of respondents rated their stress as 9 or 10 on a scale of 1 to 10
- 90% of respondents are considering leaving their jobs in social work.
- Only 31% would recommend social work teams as a place to work
- There were 176 fewer social workers and 605 fewer business support staff than last year
- In 2016, Audit Scotland estimated that social work services needed a 16-21% increase in funding to cope with growing demand. The funding has not been put in place.

Our survey of school staff<sup>5</sup> painted a similar picture.

While pupil numbers and education support needs are increasing staff and budgets are decreasing. There are 6707 more pupils since 2010 in Scottish schools, but there 1841

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<sup>1</sup> [UNISON Scotland Damage Reports](#)

<sup>2</sup> <https://www.cosla.gov.uk/news/february-2020/budget-comment>

<sup>3</sup> [Local Government Financial Overview 2018/19](#)

<sup>4</sup> Damage reports: Social work teams <https://www.unison-scotland.org/save-from-harm/>

<sup>5</sup> <https://www.unison-scotland.org/hard-lessons-support-staff-struggling-to-maintain-standards-for-pupils-because-of-cuts/>

less support staff and 1389 less teachers. This report confirmed the enormous stress this puts on support staff.

- 54 per cent of support staff say budgets have been cut
- 40 per cent carry out unpaid work to meet workloads
- 60 per cent say morale is low
- 80 per cent say workloads are heavier

The impact of the COVID crisis on pupils learning and mental and physical health will also have a substantial impact on education budgets for many years to come.

While the financial memorandum suggests that drawing up the plans will have a limited cost, that cost will be from an already over stretched budget. Any actions needed to ensure the plan is implemented will also be coming from other overstretched resources. This bill will only be able to make a difference to young people's opportunities if adequate funding is in place for the services that could provide the support they need.

## **Conclusion**

UNISON welcomes the aims of the Bill but believes that much more will need to be done to ensure that disabled young people get the support they need to reach their full potential. This bill will only be able to make a difference to young people's opportunities if adequate funding is in place for the services they rely on.

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