

# National Care Service

Midlothian IJB

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# Background

IRASC



Adult Social Care

The **Independent Review of Adult Social Care** (IRASC) recommended the establishment of a National Care Service (NCS).

The approach defined by Ministers goes significantly beyond the IRASC recommendations. They are viewing this as a collaborative, cross-government opportunity to deliver transformation and to ensure that changes are real and make tangible improvements to outcomes of people in social care.

# Background

## NCS – Broadened Scope



Adult Social Care

Addiction Services

Social Work

Children's Services

Justice Services

Community Health

- ✓ Embedding Human Rights and living-experience at the heart of the NCS.
- ✓ Including all community health and social care services in the scope of the NCS to essentially form a community health and social care service (the detail and options for delivery will need to be carefully scoped including the inter-relationship with the NHS and local authorities, commissioning and contractual arrangements and accountabilities, the employment status of staff and clinical governance).
- ✓ Including the social work profession (either in whole or in part) as part of the NCS, in particular ensuring legal powers and social work expertise remain inextricably linked with the delivery of care.

# Background

## NCS – Broadened Scope



Adult Social Care

Addiction Services

Social Work

Children's Services

Justice Services

Community Health

- ✓ Embedding fair work and workforce development in legislation.
- ✓ Specific reference to support for unpaid carers.
- ✓ Inclusion of addictions support and services.
- ✓ Inclusion or alignment of criminal justice social work and services.
- ✓ Making clear the links to and/or duties of other services not included in the NCS eg. Housing, Education.

# National Care Service (NCS)

## Timeline to Bill Stage 2



# National Care Service (NCS)

## Timeline to Bill Stage 2

June  
2022

National Care Service  
(Scotland) Bill is introduced  
to Parliament and moves to  
Stage 1 – General  
Principles

September 22-  
February 24

Committees  
consider the Bill  
and gather written  
and oral evidence

29 February  
2024

Parliament votes  
for the Bill to pass  
Stage 1

March 2024

The Bill moves to  
Stage 2 where  
changes  
(amendments)  
can be made to  
the Bill

# National Care Service - Vision

## Vision


Scotland's community health and social care services support everyone when they need it.

The National Care Service will:

- Transform people's experience of social care support and related services, strengthen prevention and community-based support and reform access.
- Continue integrating community health and social care and strengthen partnerships working with other services and agencies.
- Ensure that individuals can participate in their care design.
- Ensure people's needs are met holistically and driven by the outcomes that are important to them and their communities.
- Strengthen prevention, early intervention and end of life care.

# Framework and co-design approach

The Scottish Government is committed to engaging with people who access support, including carers, and with those who provide it, to co-design the detail of how the National Care Service will work.



To enable that co-design approach, the Bill creates a framework for the National Care Service but leaves space for more decisions to be made at later stages.

This also provides flexibility for the service to develop over time.



# The National Care Service (Scotland) Bill

## Part 1:

- Below describes the Bill as introduced, however, the Scottish Government now wants to make amendments to the Bill at Stage 2, to reflect agreements reached in talks with stakeholders.
- Scottish Ministers will have a duty to promote a care service designed to secure improvement in the wellbeing of the people of Scotland.
- In doing so they must reflect the principles set out in the Bill.
- Ministers will have powers to create local care boards, and special care boards for national functions.
- “The National Care Service” means care boards and the parts of the Scottish Government managing NCS services.
- Ministers will be able to make regulations to transfer listed functions from local authorities or health boards to the NCS.
- Before transferring children’s or justice services, Ministers will have to have a public consultation and report to Parliament on the results.

Ministers must also create a charter for the NCS, provide a complaints service and rules on handling complaints, and may make regulations about advocacy services.

# The National Care Service (Scotland) Bill


## **Part 2:**

Ministers will be able to make regulations to allow information to be shared effectively between NCS and NHS organisations and providers.

This will support a nationally-consistent, integrated and accessible electronic social care and health record.

# The National Care Service (Scotland) Bill

## Part 3 introduces:

- Rights for care home residents to see people who are important to them (Anne's Law).
  - Rights to breaks for carers.
- 
- Procurement changes to help not-for-profit organisations to bid to provide social care services.
  - Powers for the Care Inspectorate to cancel a care service's registration without first issuing an improvement notice.
  - Power for Health Improvement Scotland to support the Care Inspectorate with inspections.

# The National Care Service (Scotland) Bill

## Progress of the Bill in Parliament

- Stage 1 of the Bill was passed on 29 February 2024.
- The Scottish Government will continue to work with stakeholders and people with lived experience to develop proposals for the NCS, and will consider any changes that may be needed to the Bill at Stage 2.
- The Health Social Care and Sport Committee requested clarification on the Scottish Government's proposals for the NCS Bill following its discussions with COSLA, the NHS and other stakeholders. A response was issued on 6 December 2023, which provides further detail on the Scottish Government's proposed changes to the Bill due to the shared accountability discussions with COSLA and the NHS.
- Amendments proposed are that local authorities will retain responsibility for delivering social work and social care services and there will be no transfer of staff or assets, reforms will be delivered through amending the existing integration authorities as opposed to creating new public bodies locally, and the creation of a National Care Service Board, which reformed integration authorities will be accountable to.
- We now believe we can achieve the aims of our proposed Care Boards through reforming the current integration authorities. Thus, it is important that we do not make change for the sake of it. Instead, we will keep the knowledge and good work already happening whilst improving the areas we know desperately need reform.
- We are committed to ongoing work to reach consensus with stakeholders following their feedback on the Bill, ensuring the best interests of those who receive and deliver social care and community health support are at the forefront of our work.

# Scottish Parliament Bill Process

The Bill and accompanying documents are published by the Scottish Parliament at:  
[parliament.scot/bills-and-laws/bills/national-care-service-scotland-bill](https://parliament.scot/bills-and-laws/bills/national-care-service-scotland-bill)

At Stage 1, various Committees of the Parliament ask for written and in-person evidence on the Bill, and write reports on it. You can find out about the evidence they've heard at [Stage 1 | Scottish Parliament Website](#) Then the whole Parliament votes on whether the Bill should continue. This Bill has passed Stage 1.

1

MSPs will have the chance to propose changes (amendments) to the Bill (Stage 2). You can ask MSPs to propose changes you would like to see.

2

Stage 3 is a further amending stage. Finally, the whole Parliament will vote on whether to pass the final Bill.

3

# Agreement with COSLA

- The Scottish Government and the Convention of Scottish Local Authorities (COSLA) have given initial support to a proposed new national framework for social care and social work support.
- On 12 July 2023 Minister for Social Care, Mental Wellbeing and Sport, Maree Todd wrote to the Health, Social Care and Sport Committee that Ministers, Local Authorities and NHS boards would share accountability for social care and social work support.
- Under this proposal, Local Authorities keep service delivery functions, staff and assets. Staff will continue to be employed by local authorities, and councils will still be responsible for assets like buildings and the delivery of services.
- The proposed model of shared accountability means that Scottish Ministers, Local Government and NHS Boards will each have responsibilities to fulfil within the new national framework, and will share overall legal accountability.
- The Scottish Government will consider what changes may be required to the Bill to reflect this proposed model, reflecting ongoing discussions with Local Authorities and the National Health Service.
- New governance arrangements will be introduced to ensure consistently high levels of service across the country, while building the flexibility to meet varying community needs at a local level.
- The detail of how this will work at a local level will be developed in the coming months and we will continue to update parliament on this work, along with the results of our ongoing co-design events taking place across the country, after the summer recess.
- The original goals for the NCS remain unchanged, despite the changes in how they will be delivered. The NCS will ensure everyone can access high quality health and social care, designed alongside those who provide and receive care, while respecting their rights.
- The aim is to recognise the value of social care investment, contribute to the wellbeing of the economy, use public funds efficiently, and reduce unnecessary repetition.