



**Item No: 15**

**Meeting Date: Wednesday 24<sup>th</sup> September 2025**

## **Glasgow City Integration Joint Board**

**Report By: Pat Togher, Chief Officer**

**Contact: Craig Cowan, Head of Business Development**

**Phone: 07876815864**

### **Care Reform Bill Update**

**Purpose of Report:**

The purpose of this report is to provide the Integration Joint Board with an update on the current position of the Scottish Government's National Care Service (Scotland) Bill, renamed the Care Reform (Scotland) Bill.

**Background/Engagement:**

In 2020 the Scottish Government commissioned the Independent Review of Adult Social Care (IRASC), and a report with recommendations was published in February 2021 (also referred to as 'The Feeley Review').

The Scottish Government subsequently commenced a national consultation on proposals arising from the initial IRASC in August 2021, which included the development of a National Care Service (NCS) for Scotland. The Cabinet Secretary for Health and Social Care formally introduced the National Care Service (Scotland) Bill (the Bill) to the Scottish Parliament on 20 June 2022.

The Scottish Government engaged throughout Summer 2023 in a programme of co-design events across the country through national and regional online and regional face to face events to hear views on the future of health and social care and contribute to the Government's planning for the NCS. Representatives of Glasgow City HSCP have been in attendance at several of the engagement opportunities that took place.

## OFFICIAL

<b>Governance Route:</b>	<p>The matters contained within this paper have been previously considered by the following group(s) as part of its development.</p> <p>HSCP Senior Management Team <input type="checkbox"/></p> <p>Council Corporate Management Team <input type="checkbox"/></p> <p>Health Board Corporate Management Team <input type="checkbox"/></p> <p>Council Committee <input type="checkbox"/></p> <p>Update requested by IJB <input type="checkbox"/></p> <p>Other <input type="checkbox"/></p> <p>Not Applicable <input checked="" type="checkbox"/></p>
--------------------------	---

<b>Recommendations:</b>	<p>The Integration Joint Board is asked to:</p> <p>a) Note the content of this report.</p>
-------------------------	--

### Relevance to Integration Joint Board Strategic Plan:

The outcome of the implementation of the Care Reform Act may have a direct consequence for the Integration Joint Board's Strategic Plan. Officers will continue to monitor and advise the IJB of any guidance issued.

### Implications for Health and Social Care Partnership:

<b>Reference to National Health &amp; Wellbeing Outcome(s):</b>	None.
---	-------

<b>Personnel:</b>	This report highlights that the Scottish Government are no longer legislating for structural reform. Local authorities will retain their statutory responsibilities, with functions, staff and assets no longer transferring to a new National Care Service.
-------------------	--

<b>Carers:</b>	This report highlights that a right to breaks for carers ("Anne's Law") is now enshrined in legislation and that local authorities must publish information on available respite services for short break provision.
----------------	--

<b>Provider Organisations:</b>	None.
--------------------------------	-------

<b>Equalities:</b>	None.
--------------------	-------

<b>Fairer Scotland Compliance:</b>	None.
------------------------------------	-------

<b>Financial:</b>	There may be a financial implication for the IJB following the implementation of the Care Reform Act. This information is not known at the time of this report.
-------------------	---

OFFICIAL

## OFFICIAL

<b>Legal:</b>	Legal Services are scrutinising the latest developments outlined within this report.
<b>Economic Impact:</b>	None.
<b>Sustainability:</b>	None.
<b>Sustainable Procurement and Article 19:</b>	None.
<b>Risk Implications:</b>	Legal Services and affected HSCP services are reviewing the updated information to understand the risks associated with the detail of the report. There is currently insufficient clarity on much of the detail to be able to accurately understand and mitigate risks.
<b>Implications for Glasgow City Council:</b>	The report outlines that there is no requirement to transfer functions, staff or assets from local authorities to a National Care Service and local authorities will retain their statutory responsibilities. COSLA are represented on the new interim National Care Service Advisory Board.
<b>Implications for NHS Greater Glasgow &amp; Clyde:</b>	The report outlines that Health Boards are represented on the new interim National Care Service Advisory Board.
<b>Direction Required to Council, Health Board or Both</b>	
<b>Direction to:</b>	
1. No Direction Required	<input checked="" type="checkbox"/>
2. Glasgow City Council	<input type="checkbox"/>
3. NHS Greater Glasgow & Clyde	<input type="checkbox"/>
4. Glasgow City Council and NHS Greater Glasgow & Clyde	<input type="checkbox"/>

### 1. Purpose

- 1.1. The purpose of this report is to provide the Integration Joint Board with an update on the current position of the Scottish Government's National Care Service (Scotland) Bill, renamed the [Care Reform \(Scotland\) Bill](#).

### 2. Background

- 2.1. In 2020 the Scottish Government commissioned the Independent Review of Adult Social Care, and [a report with recommendations](#) was published in February 2021 (also referred to as 'The Feeley Review').
- 2.2. The Scottish Government subsequently commenced [a national consultation](#) on proposals arising from the initial IRASC in August 2021, which included the development of a National Care Service (NCS) for Scotland.

## OFFICIAL

## OFFICIAL

- 2.3. The Cabinet Secretary for Health and Social Care formally introduced the National Care Service (Scotland) Bill (the Bill) to the Scottish Parliament on 20<sup>th</sup> June 2022. [Contents of the Bill along with related information](#) is available on the Scottish Parliament website.
- 2.4. The Bill, as it was introduced, established and set out the principles of a new National Care Service for Scotland and enabled Scottish Ministers to transfer a range of services and functions from Local Authorities to the NCS subject to Parliamentary approval.

### 3. Current Position

- 3.1. On Thursday 23<sup>rd</sup> January 2025, the Minister for Social Care, Mental Wellbeing and Sport gave a [statement to Parliament](#) which outlined the Scottish Government's revised proposals for the National Care Service Bill.
- 3.2. The proposed amendments, influenced by co-design activity and previous Scottish Parliament committee evidence sessions, included removing part 1, which established the National Care Service, from the Bill and establishing a new National Care Service Advisory Board.
- 3.3. MSPs approved the amendments on 4<sup>th</sup> March 2025, and the Scottish Government published a revised Bill which, following agreement to remove Part 1 of the initial Bill, was renamed the Care Reform (Scotland) Bill.
- 3.4. On Tuesday 10<sup>th</sup> June 2025 MSPs concluded the Parliamentary process by voting to pass the Care Reform (Scotland) Bill.
- 3.5. The Bill received Royal Assent and became an Act of the Scottish Parliament on 22<sup>nd</sup> July 2025.

### 4. Care Reform (Scotland) Act 2025

- 4.1. The [Care Reform \(Scotland\) Act 2025](#) (the Act) does not legislate for structural reform. Local authorities will retain their statutory responsibilities, with functions, staff and assets no longer transferring to a new National Care Service.
- 4.2. The objectives are to:
  - Improve integration and continuity of care to support smoother transitions between services.
  - Improve access to information to empower people to access information about their care.

## OFFICIAL

### 4.3. The Act is divided into three Parts:

#### Part 1: Health and social care information

Ministers must facilitate a digital integrated care record for every individual that receives health care or a social service. This aims to improve the flow of information across care settings and empower people to access their records. This will be achieved through powers of Scottish Ministers to gain such information and create sanctions (civil or criminal) for those who fail to comply.

#### Part 2: Reforms connected to the delivery and regulation of care

Contains modifications to existing laws relating to the provision and regulation of care, reforms include:

- Providing a legal right to breaks for unpaid carers; local authorities must publish information on available respite services for short break provision.
- Upholding the rights of people living in adult care homes to maintain contact with family and friends (“Anne’s Law”) and placing a duty on care home providers to identify an “Essential Care Supporter” for each resident.
- Reserving certain contracts for specific organisations to support community-based and values-driven care providers and requiring Scottish Minister to publish statutory guidance on ethical commissioning.
- Providing the Scottish Social Services Council with the power to require information to ensure transparency and expanding existing powers to allow for the cancellation of care service registration as soon as the period provided for an improvement notice has expired.
- Disclosing of information by and to certain health care services where it is believed that a person is an adult at risk of harm and action needs to be taken.
- Protecting the continuity of services for persons who have a disability if they move home so as not to experience a gap in support and to prevent disruption.
- Prescribing a timescale for carrying out a first assessment of needs and subsequent assessments of needs in relation to a person who has a terminal illness.
- Establishing the National Social Work Agency (NSWA), headed by a Chief Social Work Advisor. The NSWA is scheduled to launch in spring 2026.

Part 2 also outlines that Scottish Minister must:

- report on future demand for care services before the end of 2026
- report on the state of the social care market every 3 years
- publish a strategy to promote fair work practices, improve terms and conditions for workers, and encourage effective voice and workplace democracy before the end of 18 months when the Bill comes into force.

## OFFICIAL

## OFFICIAL

- develop and maintain a bargaining framework to promote fair work principles, workforce stability, and consistency in employment standards before a period of 2 years since this Bill comes into force.

### Part 3: Final provisions

Contains provisions usually found at the end of an Act, namely the power to make ancillary regulations.

## **5. Implications**

- 5.1. The Act is primarily amending in nature, with the provisions spanning a wide and varied range of existing legislation. Given the breadth of the amendments, it will take some time for Legal Services to review the changes and assess what they mean in practice before any implications are fully understood.

## **6. Next Steps**

- 6.1. A National Care Service will no longer be established as it was initially proposed. However, the Scottish Government intend to deliver the ambition and principles of the original National Care Service proposals by making improvements to social care through legislative means, including the Care Reform (Scotland) Act 2025 and National Social Work Agency, and non-legislative means, including via:
- [Self-directed support improvement plan 2023 - 2027](#) to ensure that people can make decisions about their own social care support.
  - [Support in the Right Direction Programme](#) funded for a further three years to ensure people have access to SDS information and advice; information about accessing independent advocacy, brokerage, and preventative support.
  - [Getting it Right for Everyone \(GIRFE\)](#) to improve services and support from young adulthood to end of life care.
  - [Coming Home Programme](#) to reduce the number of delayed discharges and out-of-area placements for people with learning disabilities and complex care needs.
  - Reducing future hospital use by working with local partners on community-based solutions.
  - Increased pay for social care workers, following the principles of Fair Work.
- 6.2. The Scottish Government have established an interim National Care Service Advisory Board, on a non-statutory basis, to provide advice and suggest where improvements can be made to social care, social work and community health services to help ensure they are consistent, fair and high-quality across Scotland. Membership includes COSLA, Scottish Care, Scottish Government, NHS Highland, and South Lanarkshire Integration Joint Board. A full list of membership is available on the [Scottish Government's website](#).

## OFFICIAL

**7. Recommendations**

7.1. The Integration Joint Board is asked to:

a) Note the content of this report.