

# National Care Service

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## Staff Information Session

**March 2023**

- [Independent Review of Adult Social Care \(IRASC\)](#) published in February 2021
- [National consultation](#) in August 2021
- [NCS Bill](#) introduced by the Cabinet Secretary for Health and Social Care 21st June 2022
- [Call for Views](#) on the Bill July 2022

# National Care Service: What do we know?

- A department of the Scottish Government
- Comprised local Care Boards and Ministers
- To provide leadership, oversight, and accountability for social care
- Planning of services delegated to local Care Boards
- Care Boards accountable to Scottish Ministers
- To improve quality and consistency of services
- To provide guidance on standards

# National Care Service (Scotland) Bill

- Framework Bill which proposes general NCS principles
- Detail agreed by co-design and secondary legislation
- The Bill is divided into 4 parts:
  1. Establishes NCS, establishment of care boards, transfer of health and social care functions to NCS
  2. Scottish Ministers' powers to make care records more consistent and better integrated
  3. Modifications to existing laws relating to the provision and regulation of care
  4. Provisions for powers to make additional regulations

# Key principles of the NCS

- Essential investment in society
- NCS services must be financially stable
- Focus on early intervention
- **Designed collaboratively**
- Continuous improvement, equality & non-discrimination
- Inclusive communication
- Fair work principle and valuing staff

# Co-design: Your chance to get involved

- Majority of detail to be informed by co-design incl. Lived Experience Panel & Stakeholder Register
- Co-design themes:
  - information sharing to improve health and social care support
  - realising rights and recognising responsibilities
  - keeping health and social care support local
  - making sure my voice is heard and
  - valuing the workforce.

# Care Boards

- Scottish Ministers will have the power to establish and abolish local or special (e.g. national) care boards
- Care Boards will be distinct legal bodies with responsibilities to plan, purchase and potentially deliver services
- Care Boards would replace Integration Joint Boards (IJBs)
- No decisions taken on the number, size or geographic boundaries of Care Boards
- Care Boards would be directly accountable to Ministers (as with the Health Boards)

## Care Boards cont'd

- Care Boards appear to be similar to current IJBs but have differences including:
  - Membership defined by Ministers
  - Ministers to appoint and can remove Chairs, Chief Executives and “ordinary members”
  - Members may be remunerated for membership
  - All Members may have voting rights
  - Care boards may appoint staff
- Don't know full details yet, part of co-design



# Transfer of functions

- Bill allows for services/functions delivered by Councils/Health Boards to be transferred to NCS
- NCS to be responsible for social work and social care for adults, mental health care and adult and child protection
- Decisions about including Children and Justice services to be made after research and consultation (late 2023)
- Community Health services (not defined) are included
- Homelessness service not within scope for NCS.

# Transfer of staff

- Bill allows for staff delivering certain services to transfer into the NCS but does not require staff transfer
- Staff may experience no change in employer
- No decisions will be made about transferring staff until the Care Boards are set up
- No NHS staff would transfer to the NCS
- If staff transfer to NCS, TUPE would apply

# Scottish Ministers powers to intervene

- Bill gives Ministers authority to issue mandatory instructions to Care Boards if considered necessary
- Power to remove members of a care board if the board has failed to carry out any of its functions
- Power to remove functions from a Care Board (due to emergency or board failure)
- Powers to intervene in services provided by 3<sup>rd</sup> party contractors (e.g. due to failure or risk of failure)

## Other features of the Bill

- NCS Charter (co-design already underway)
- Power to create integrated and accessible electronic social care and health record
- NCS should have a distinct complaints process
- Requirement to support rights to breaks for carers
- Procurement exercises can be restricted to certain service providers (e.g. voluntary organisations)
- Delivery of Anne's Law to support visiting rights in care homes
- Guidance on development of Strategic Plans

# National Social Work Agency

- Not referred to in the Bill itself
- No clarity yet on the final scope of the NSWA's remit
- An area where HSCP/IJB is generally supportive
- Objectives to provide national leadership/support in:
  - Education
  - Improvement
  - Workforce planning
  - Training and development
  - Social work terms and conditions

# Scrutiny and implementation

- Bill currently going through Parliament including stages on scrutiny, amendments and vote
- Final Bill to be passed late 2023
- Ministers committed to functioning NCS by 2026
- Local transition plans to be developed with partners
- Steering group including people with lived experience
- Scottish Government set up costs circa £1.4bn
- Updated implementation costs are expected after all committee reports are published

# Glasgow City HSCPs position

- Support drive towards national standards/improvement
- Support National Social Work Agency
- Believe in retention of local planning and accountability
- Seek clarity on what NCS seeks to resolve
- Seek evidence of rationale for inclusion of services
- Justice Services, Children's Services and Homelessness services should be in the NCS
- Support provision of direct budgets to Care Boards
- Co-design should have informed the Bill
- Eager to be involved in design of NCS.

# Governance structure

- Worked with Council to develop NCS Programme to plan/implement
- Governance arrangements include:
  - NCS Steering Group
  - NCS Co-ordination Group
  - Workstream Groups
  - HSCP Executive NCS Group
  - HSCP Planning Group



# Staff Engagement

- Continue to brief staff on the development of the NCS
- Ensure staff has access to opportunities to discuss the development of the NCS and implications for them
- Engage with TU partners – info sharing and keeping informed
- [HSCP website NCS page](#)
  - HSCP and IJB consultation responses
  - Managers Briefings
  - Frequently Asked Questions
  - Submit a question
- Presentation to be recorded and posted online

# Stay informed

- [Scottish Government NCS](#) web pages
- [Policy Memorandum](#)
- [Financial Memorandum](#)
- [Explanatory Notes](#)

# Questions?