

## **Purpose of Briefing**

In this briefing we provide an update on the Scottish Government's National Care Service (Scotland) Bill, which aims to make Scottish Ministers accountable for social care, as they are currently for health care, within Scotland (referred to as the 'Bill' in this briefing).

The briefing has four sections, and you can select one of their hyperlinks to go to that section:

- [Background](#)
- [Governance Structure](#)
- [Engagement](#) and
- [Useful Links](#).

The National Care Service (NCS) Bill will have implications for our Health and Social Care Partnership (HSCP) and Integration Joint Board (IJB), including our partner organisations Glasgow City Council and NHS Greater Glasgow and Clyde. At this stage any implications are not fully understood because, as discussed in this briefing, the Bill is a 'framework' piece of legislation. This means it is a broad overall plan for the NCS, and its detail is not yet drafted or decided on. The detail will be developed over the months and years to come with a range of stakeholders. This will take some time as it did when introducing legislation for Health and Social Care Integration.

Both our HSCP and the Council are committed to providing you with ongoing communications on developments and progress, and any implications the Bill will have for us. We are currently developing a strategy for how we will communicate with you and other stakeholders going forward, and it will include regular briefings like this one. We are also currently working on developing a dedicated webpage for the NCS on our HSCP's website.

## Background

In our last [briefing \(September 2022\)](#), we provided an overview of the Scottish Government's National Care Service (Scotland) Bill.

As a recap:

- in 2020, the Scottish Government commissioned the Independent Review of Adult Social Care (IRASC), and published [a report with recommendations](#) in February 2021 (also referred to as 'The Feeley Review')
- in August 2021, the Scottish Government subsequently commenced [a national consultation](#) on proposals arising from the IRASC, which included the development of a NCS for Scotland. Our [HSCP](#), [IJB](#) and [Glasgow City Council](#) submitted responses
- the Cabinet Secretary for Health and Social Care formally introduced [the National Care Service \(Scotland\) Bill](#) to the Scottish Parliament on 20 June 2022
- the Bill sets out the principles of and will establish the new NCS for Scotland, and it will allow Scottish Ministers to transfer a range of social care services and functions from Local Authorities to the NCS subject to Parliamentary approval. Ministers will also be able to transfer healthcare functions from Scotland's National Health Service (NHS) to the NCS
- the Scottish Government's ambition is for an NCS that ensures people of all ages can access the support that they need to live a full life by improving consistency and quality of provision
- the Bill is a 'framework' piece of legislation that lays the foundations for an NCS, its detail will be developed in a co-produced way and decided on over a period of time
- some of the key proposals of the Bill include the establishment of new local care boards; the transfer of adult social care and health functions and services (excluding homelessness but may include children's services and justice social work services subject to further consultation); the transfer of staff who support social care functions and services from the employment of a Local Authority to the NCS; the establishment of a new National Social Work Agency and local care boards being responsible for the commissioning and procurement of goods and services as part of the NCS
- the Bill also provides Scottish Ministers with the powers to establish a scheme for sharing information, to facilitate a nationally consistent electronic health and care record
- it also introduces rights to breaks for unpaid carers and visiting rights for residents living in adult care homes and
- the Scottish Government has committed to establishing a functioning NCS by the end of this parliamentary term in 2026.

## **Governance Structure**

Within Glasgow City we have set up our own programme for the NCS as proposals are developed by the Scottish Government, with officers from Glasgow City Council and our HSCP. Our programme sets out to:

- ensure the Council (including the HSCP) is fully engaged in the Scottish Government's development of the NCS, including participation in consultation and engagement activity and co-design
- ensure the Council establishes a baseline of assets, liabilities, property and staff for services and functions that are within the scope of the NCS (as currently set out in the Bill and then in future iterations)
- ensure that risks and issues arising from the implementation of the NCS to the Council, its services, partners and citizens are clearly understood, documented and where possible mitigated or escalated and
- ensure that staff, partners and stakeholders are kept informed about the implementation of the NCS, the activity being taken by the Council to engage with this and the resulting changes to service delivery.

We have an NCS Steering Group that is overseeing and providing strategic direction and leadership to the development and implementation of our programme, which is chaired by the Council's Chief Executive and attended by senior staff from our HSCP and other Council services.

Workstreams have been established to focus on particular areas of NCS proposals and how they may impact the Council and our HSCP, ensuring that due diligence is carried out. An NCS Co-ordination Group has also been established to support the Steering Group and oversee the co-ordination, monitoring and reporting of the workstreams. The workstreams include:

- Legal
- Human Resources and Engagement (including Communications subgroup)
- Finance (including Assets and Liabilities) and
- Services and Governance (including Chief Social Work Officer and Commissioning subgroups).

Our HSCP also has an Executive Group and Working Group for the NCS to bring together all care group operations and business support functions across the HSCP.

Programme management support to the NCS programme is being provided by our HSCP.

### **Engagement**

The Scottish Government has committed to developing the detail of the Bill in a co-produced way with a range of stakeholders, particularly with people who access support, those who deliver it and unpaid carers. This will include HSCPs, IJBs, Health Boards and Local Authorities among others.

In July 2022, the Scottish Parliament’s Health, Social Care and Sport Committee published its [Call for Views](#) (consultation) on the Bill, and our [HSCP](#), [IJB](#) and [the Council](#) submitted responses to it that are available on the Scottish Parliament’s website. [Social Work Scotland’s response](#) and [all other ones](#) are also available. [A summary report of all responses](#) has been published by the Scottish Parliament as well.

More recently the Scottish Parliament has held committee sessions on the Bill, and their reports are available to view on the Scottish Parliament’s website by selecting the hyperlink for the date that they were held. Some of them have been attended by officers from our HSCP and the Council.

<b>Committee</b>	<b>Session Date</b>
Health, Social Care and Sport Committee	<a href="#">25/10/2022</a>
	<a href="#">01/11/2022</a>
	<a href="#">08/11/2022</a>
	<a href="#">15/11/2022</a>
	<a href="#">22/11/2022</a>
	<a href="#">29/11/2022</a>
	<a href="#">05/12/2022</a>
	<a href="#">13/12/2022</a>
	<a href="#">20/12/2022</a>

Finance and Public Administration Committee	<a href="#">25/10/2022</a> <a href="#">01/11/2022</a> <a href="#">08/11/2022</a> <a href="#">15/11/2022</a>
Local Government, Housing and Planning Committee	<a href="#">08/11/2022</a> <a href="#">15/11/2022</a> <a href="#">29/11/2022</a>
Education, Children and Young People Committee	<a href="#">09/11/2022</a> <a href="#">16/11/2022</a> <a href="#">23/11/2022</a>
Social Justice and Social Security Committee	<a href="#">10/11/2022</a> <a href="#">17/11/2022</a>
Criminal Justice Committee	<a href="#">23/11/2022</a> <a href="#">21/12/2022</a>
Delegated Powers and Law Reform Committee	<a href="#">29/11/2022</a>

Our HSCP and IJB and the Council intend to fully take part in future engagement and consultation opportunities.

### Useful links

- **National Care Service**  
[www.gov.scot/policies/social-care/national-care-service/](http://www.gov.scot/policies/social-care/national-care-service/)
- **National Care Service (Scotland) Bill**  
[www.parliament.scot/bills-and-laws/bills/national-care-service-scotland-bill/overview](http://www.parliament.scot/bills-and-laws/bills/national-care-service-scotland-bill/overview)
- **National Care Service (Scotland) Bill Supporting Documents**  
[www.parliament.scot/bills-and-laws/bills/national-care-service-scotland-bill/introduced](http://www.parliament.scot/bills-and-laws/bills/national-care-service-scotland-bill/introduced)

- **National Care Service – Your Views on the Bill (and Responses)**  
**Scottish Parliament – Health, Social Care and Sport Committee**
  - [yourviews.parliament.scot/health/ncs/](https://yourviews.parliament.scot/health/ncs/)
  - [www.parliament.scot/-/media/files/committees/health-social-care-and-sport-committee/ncs-call-for-views-summary.pdf](https://www.parliament.scot/-/media/files/committees/health-social-care-and-sport-committee/ncs-call-for-views-summary.pdf)
  - [yourviews.parliament.scot/health/national-care-service-bill/consultation/published\\_select\\_respondent](https://yourviews.parliament.scot/health/national-care-service-bill/consultation/published_select_respondent)
- **Independent Review of Adult Social Care**  
[www.gov.scot/groups/independent-review-of-adult-social-care/](https://www.gov.scot/groups/independent-review-of-adult-social-care/)
- **A National Health Care for Scotland: Consultation (and Responses)**  
**Scottish Government**
  - [www.gov.scot/publications/national-care-service-scotland-consultation/pages/2/](https://www.gov.scot/publications/national-care-service-scotland-consultation/pages/2/)
  - [consult.gov.scot/health-and-social-care/a-national-care-service-for-scotland/consultation/published\\_select\\_respondent?show\\_all\\_questions=0&sort=submitted&order=ascending&q\\_text=](https://consult.gov.scot/health-and-social-care/a-national-care-service-for-scotland/consultation/published_select_respondent?show_all_questions=0&sort=submitted&order=ascending&q_text=)