



Consultation Briefing: A National Care Service for Scotland

About this briefing - This is a new type of briefing exclusively for CIH members. These briefings are designed to inform you about current consultations, highlight potential implications for the sector that you might want to consider in your own response and set out CIH Scotland's position.

Background

The responsibility to deliver social care support currently sits with local authorities under the [Social Work \(Scotland\) Act 1968](#). All adult social care is delegated to [Integration Authorities](#) (IAs). Around a third of IAs also have delegated responsibility for children and families and half for justice social work.

In 2020 Scottish Government commissioned the [Independent Review of Adult Social Care](#) (IRASC), also known as the Feeley Review, which published recommendations on 3 February 2021.

The report acknowledged that the integration of health and social care services had not led to the improvements in service delivery that were intended and recommended the creation of a National Care Service (NCS) for Scotland.

The Scottish Government has committed to taking this recommendation forward and states that it intends to create a care system based on human rights. It intends for the new service to move the focus from crisis intervention to prevention and support to live well. It should also provide consistency of case across Scotland.

Proposals for the NCS have been published and a [public consultation](#) will run until 18 October. It is expected that a Bill will be introduced in 2022.

The proposals

Structure of the National Care Service

Integration Joint Boards (IJBs) will be reformed and become Community Health and Social Care Boards (CHSCBs) and will be the local delivery body for the NCS. The CHSCB, NCS, NHS, local authority and local providers will work together to plan, commission and deliver services locally.

The NCS will lead on all aspects of community health and social care improvement and provision at a national level for people with complex or highly specialist needs. It will be responsible for planning and delivery of care in custodial settings including prison.

The NCS will be responsible for national workforce planning and development, data to support planning, commissioning and procurement, research to support improvement

and national and regional service planning.

The Scottish Government does not plan to run all care homes or services directly. While it expects that some services will be provided directly, the NCS and CHSCBs will continue to commission services from providers as IJBs currently do.

Scope of the National Care Service

It is proposed that the NCS will cover

- Children's services
- Healthcare
- Social Work and Social Care
- Nursing
- Justice Social Work
- Prisons
- Alcohol and Drug services
- Mental Health services

It is also proposed that a National Social Work Agency (NSWA) should be established.

Focus on improvement

The NCS would be accountable to Scottish Ministers. It is suggested that this will ensure consistent, high standards of performance are developed and maintained across Scotland with a renewed focus on improvement. A national approach will also allow good practice to be identified and replicated.

Access to care and support

The IRASC found that the current system is overly complex, difficult for people to navigate and focusses too much on justification of need for services through narrow eligibility criteria.

It is proposed that the new NCS will remove the current eligibility criteria and focus on enabling people to access the care and support that they need. More emphasis will be placed on prevention and flexibility, allowing people to move to different services as their needs change.

Under proposals, people would be able to access low level services without a referral or full assessment.

There will be a single approach to care and support services covering all types of support in all settings, including prisons and places of detention.



The approach will draw on the successes of the Getting it Right for Every Child (GIRFEC) model and develop a Getting it Right for Everyone (GIRFE) multi-agency approach. A single adult's plan will be introduced covering all aspects of care from the point at which need is identified.

Using data to support care

Currently, data about individuals is stored by numerous organisations in different formats across health and social care. Data is not always easily accessible or shared between services leading to duplication and lack of continuity of service. Data being stored locally also makes it more difficult to identify trends and changing needs at a national level.

The Scottish Government proposes introducing a national electronic social care and health record that can be viewed and accessed by all those providing health and care support.

The NCS would facilitate sharing of data across all care settings and, as such, legislation would be introduced to require all primary and community health and social care services to provide data to the NCS.

The NCS would be subject to the [Freedom of Information \(Scotland\) Act 2002 \(FOISA\)](#). The Scottish Government consulted on the extension of FOI requirements to private bodies that exercise functions of a public nature or provide services for a public body. In this context, private and third sector organisations that deliver health and social care functions could be considered for extension of FOI requirements. Any proposals of this nature would require further consultation as per Section 5 of the FOISA.

Handling complaints

The current system can be complicated with separate channels for complaints depending on the service provider. Different processes for complaints handling and feedback may also result in lack of consistency.

A national single point of access for information on making a complaint or giving feedback about a social care service will be introduced. This could provide links to organisations and information on advocacy services. It would also provide links to information on complaints.

Local bodies will be required to demonstrate that they have informed people about advocacy services and care providers would have to show how they have taken feedback and complaints on board when they are inspected.

Consideration will be given to the development of a charter for rights and responsibilities and the appointment of a commissioner for social care.

Residential care charges

Currently local authorities carry out a financial assessment of any individual requiring residential care to determine how much they will have to contribute to care home costs. The assessment takes into account capital, including property.

A person with capital over £18,000 is expected to contribute towards costs and over £28,750 is required to cover all costs (a self-funder). A person with capital under £18,000 will not have to contribute to their care and will be placed in a care home on the National Care Home Contract (NCHC). The NCHC is negotiated annually between local authorities and care providers.

Personal Care is not charged for and Nursing Care is also free at the point of delivery.

The Scottish Government proposes increasing the sums paid for Free Personal Care and Nursing Care for self-funded care home residents to the levels included in the NCHC. Alternatively, it is suggested that means testing could be revised to ensure self-funding residents are treated more fairly.

Valuing people who work in social care

There is wide variation in pay and conditions between different social care providers which needs to be addressed to ensure that people are attracted to and remain in the sector.

Proposals include the development of national workforce quality standards to support the delivery of Fair Work principles. This could include pay, contracts and training and development. The NCS could also oversee the development of a National Job Evaluation scheme and implement a national pay-band structure similar to the NHS.

A National Commissioning and Procurement Framework would include an emphasis on workforce terms and conditions.

CIH Scotland's position

We welcome the aim of creating a more consistent service that is based on prevention, support and human rights. However, there are some concerns about how the NCS will work in practice and the impact on local authorities.

[COSLA raised concerns](#) about the extent to which local decision making could be centralised and the length of time it will take to implement complex changes.

We will be developing a response to this consultation and would like to hear how these proposals may impact your services, tenants or communities. Please send any comments to: scotland@cih.org