



T: 0131-244 4613 F: 0131-244 1475
E: directorforchildrenandfamilies@gov.scot

21 June 2022

The National Care Service (Scotland) Bill

The National Care Service (Scotland) Bill has been published today, having been introduced to Parliament by the Cabinet Secretary for Health and Social Care. The Bill sets out principles for the National Care Service (NCS) and places a duty on the Scottish Ministers to promote a care service designed to secure improvement in the wellbeing of the people of Scotland.

The aim of the Bill is to ensure that everyone can consistently access community health, social care and social work services, regardless of where they live in Scotland. It provides for a National Care Service, accountable to Scottish Ministers, with services designed and delivered locally.

The Bill therefore provides for a power to transfer accountability for a range of services, including adult social care and social work services, children's social work and social care services and justice social work services, to the Scottish Ministers, subject to Parliamentary approval.

Scope of the National Care Service

The Bill requires further public consultation to be held and the results to be laid before Parliament alongside any regulations prior to any potential transfer of children's services and justice social work services. This recognises that those areas were not specifically examined by the Independent Review of Adult Social Care.

The overall position is that a final decision on the inclusion of justice social work and children's social care and social work services in the NCS will not be taken until further detailed consideration and evidence gathering with key partners has been carried out. Instead, the NCS will be designed so that children's services and justice social work services can be included if that is considered appropriate in due course. There has been considerable debate and discussion over the last year on this matter and we look forward to continuing



this discussion with you given its impact on the statutory services you and your teams provide.

- **Children’s social work and social care**

Independent research will be commissioned by the Scottish Government to build the evidence base on the current delivery models of children’s services. This research project will consider the different models of delivery to develop an understanding of which delivery models can most effectively implement The Promise and support the improvement of outcomes for children and families.

A steering group chaired by Professor Brigid Daniel will be established to oversee and guide the research project. This will ensure effective independent oversight at all stages and allow for inclusion of a wider group of stakeholders. Monitoring of the project will be carried out throughout the process to inform Ministers’ decision-making, NCS policy development and system design.

The creation of this group does not preclude the need for wider stakeholder engagement, a strategy for which will be developed to run alongside all stages of the work. Relevant partners will have a role in shaping, steering and participating in the research where appropriate.

The aim is to take the decision before the NCS is operational, which will mean children’s services can be included from the beginning if that is the best approach. The Scottish Government will consider the views expressed during the public consultation before the decision is taken, and then bringing forward regulations, if required.

- **Justice social work**

Plans around the approach to assessment, collaboration and co-design for justice social work services are still being developed and will be informed by the overall approach to design of the NCS and specific engagement with justice stakeholders. We will be working with partners over the coming months to develop the approach, in a manner that is cognisant of existing strategic and operational priorities (not least those arising from the Vision for Justice in Scotland and the forthcoming revised Community Justice Strategy), and will communicate more widely to update on plans in due course. It is anticipated that work over the summer will be focussed on shaping the proposed approach including likely timescales and resource requirements.

National Social Work Agency

Through the creation of the NCS, Ministers also intend to create a National Social Work Agency (NSWA), given the important links and function that social work will have within the wider NCS structure. As it will be part of the NCS there is no separate provision for it within the Bill. The NSWA will invest in the social work profession by providing national leadership, and overseeing and supporting social work in the following areas:

- education (pre and post-qualifying)
- improvement (by establishing a Centre of Excellence) and scaling up good practice
- workforce planning

- training and development
- social work terms and conditions (including pay).

These objectives will enable social workers to work more effectively with people to transform their lives and implement rights-based practice.

I can also assure you that effective delivery of social work remains a key priority for the Scottish Government given its absolutely critical importance. Work on any proposed transfer of responsibilities will be planned carefully to ensure service delivery is not put at risk, and that views from those delivering services across Scotland are taken into account.

Other powers within the Bill

In addition, the Bill gives Scottish Ministers powers to:

- establish (and dissolve) local and special care boards
- make provision about the membership of care boards and what groups they are required to represent
- establish a scheme and standards for sharing information, to facilitate a nationally-consistent electronic health and care record.
- It also requires Ministers to create a charter of rights and responsibilities for social care, with a robust complaints and redress process
- Separately, the Bill will introduce rights to breaks for unpaid carers and visiting rights for residents living in adult care homes. These can be implemented before the National Care Service is established.

This is a significant transformation programme for the public sector and it is important that we take the time needed to get it right. To enable our commitment to co-design, the Bill itself creates a framework for future delivery through a National Care Service.

Publications

A series of documents have been published alongside the Bill, the links are attached [here](#) for convenience:

- Impact Assessments
- A Statement of Benefits
- A series of evidence papers; and
- A paper on co-design

A case study film featuring the voices of lived experience will be available later today on the Scottish Government [website](#) and across social media channels. A further five case studies will be released across social media from 25 June.

You will wish to be aware that co-design of the National Care Service will begin this summer with people with lived experience, workforce, trade unions and NHS Boards.

I very much look forward to progressing the National Care Service in collaboration with you all over the months and years ahead.

Michael Chalmers

Michael Chalmers

Victoria Quay, Edinburgh EH6 6QQ
www.gov.scot



INVESTORS IN PEOPLE™
We invest in people Silver

