

## National Care Service Bill

The Scottish Government has introduced the National Care Service Bill to parliament. Find the Bill and accompanying documents [here](#).

This is a framework Bill conferring potential powers and high-level structures. More detail will be set out in secondary legislation following further consultation and engagement between the Scottish Government and stakeholders.

The following briefing provides a short summary of the key points in the Bill.

### Scope

The Bill allows Scottish Ministers to transfer social care and social work responsibility from local authorities to a new, national care service. It includes adult services, but requires the Scottish Government to first consult publicly about any proposed transfer before a final decision is made about whether also to also transfer responsibilities in relation to justice social work and children's services.

### Principles

The Bill defines the principles by which the NCS will operate. It states that the NCS will be an investment in people and communities, providing an opportunity to:

- Embed human rights in care support
- Increase equality and enable people and communities to thrive
- Ensure that the NCS is an exemplar of Fair Work practices
- Effectively co-design services with people with lived and living experience
- Ensure that the care workforce is recognised and valued
- Improve outcomes through prevention and early intervention
- Provide financially sustainable care giving security and stability to people and their carers
- Ensure that the NCS communicates with people in an inclusive way.

### Care Boards

The Bill allows Scottish Ministers to establish and fund care boards to plan and deliver NCS services locally. These care boards will replace the current Integration Authorities and will be separate public bodies which are accountable to the Scottish Ministers and have their own legal identity. Scottish Ministers will be granted the power to make decisions about the membership of care boards and the groups must be represented on the boards.

It sets out that each care board must have a Strategic Plan, which sets out their vision, objectives and budgets for their care board area. Scottish Ministers will review and approve care boards' Strategic Plans against statutory guidance, which will be co-designed with stakeholders.

There is no indication at this stage about how many care boards will be established.

### **National Social Work Agency**

The policy memorandum accompanying the Bill includes the establishment of a National Social Work Agency (NSWA) as part of the NCS at national level.

Scottish Ministers have indicated that the NSWA will promote training and development, provide national leadership and set and monitor standards in social work.

The structure of the NSWA is still at the very early stages and the memorandum commits to involving social workers in its design.

### **Transfers of Staff**

Where a function is transferred from one institution to another, the Bill enables Scottish Ministers to transfer the staff who were performing the function too.

However, the Bill contains a provision preventing staff of a health board or a special health board being transferred into the employment of a National Care Service institution.

SASW has made the Social Worker's Union aware of this provision and will be liaising with them further.

### **National Care Service Charter**

Scottish Ministers will be given the power to create a charter of rights and responsibilities for social care, including a complaints and redress process. This will be developed with input from those with lived or living experience.

The charter will set out what people can expect from the NCS and provide a clear pathway to recourse should their rights in the Charter not be met.

## Care Records

Scottish Ministers have been granted powers to establish a scheme and standards for sharing information which will help to create a nationally consistent electronic health and care record.

## Other

Separately, the Bill will introduce rights to breaks for unpaid carers and visiting rights for residents living in adult care homes. The intention appears to be to implement these in the run up to the establishment of the National Care Service.

SASW will prepare a more detailed summary of the key areas of the Bill to share with you. We will work up a schedule of engagement activities to keep you up to date and able to contribute to the Bills' passage. Keep an eye out for our bulletins.

You can also contact our Policy Officer on [jonny.adamson@basw.co.uk](mailto:jonny.adamson@basw.co.uk) with any thoughts you have at this stage.