



REPORT TO: MORAY INTEGRATION JOINT BOARD ON 30 SEPTEMBER 2021

SUBJECT: THE INDEPENDENT REVIEW OF ADULT SOCIAL CARE & NATIONAL CARE SERVICE CONSULTATION

BY: NEIL STRACHAN, LEAD FOR STRATEGY & PERFORMANCE & DEPUTY CHIEF OFFICER

1. REASON FOR REPORT

- 1.1. To update the Moray Integration Joint Board (MIJB) in relation to the Independent Review of Adult Social Care (IRASC), the current consultation period on establishing a National Care Service (NCS) and proposals for developing a MIJB response.

2. RECOMMENDATION

2.1 It is recommended that the MIJB:

- i) consider and note the content of this report on the IRASC and NCS consultation, and;**
- ii) endorse the completion of a MIJB response, for approval by the Chair prior to submission.**

3. BACKGROUND

- 3.1. A report was submitted to the MIJB on 24 June 2021 (para 11 refers) advising of the publication, content and focus of the IRASC which was released in early February 2021. The review was commissioned by the Scottish Government and was independently chaired by Derek Feeley, supported by an expert panel and is available at <https://www.gov.scot/groups/independent-review-of-adult-social-care/>
- 3.2. The review sets out an ambitious vision that, if fully implemented, has the potential to transform the lives of people with social care needs, unpaid carers and the wider adult social care sector. Implementation of the review recommendations will form part of the programme for government for the next election term.

- 3.3. A key recommendation in the IRASC is the formation of a National Care Service for Scotland (NCS). Widespread consultation has now commenced in relation to the creation of the NCS. The consultation period lasts until 2 November 2021 and a dedicated Scottish Government online area has been created at <https://consult.gov.scot/health-and-social-care/a-national-care-service-for-scotland/>

4. KEY MATTERS RELEVANT TO RECOMMENDATION

A National Care Service for Scotland

- 4.1 One of the most significant changes recommended by the IRASC is the development of a National Care Service (NCS). This would operate as a new body to oversee social care, similar to how the National Health Service oversees health, described as enabling social care to have a more equal footing with health care. As part of this proposed new structure responsibilities would shift from local authorities to national government, with a new Minister being appointed to oversee social care. The role of the NCS would include:
- Overseeing commissioning and procurement. The review recommends that the NCS should set national standards while Integration Authorities should be responsible for commissioning and procurement at a local level, as well as being responsible for GP contracts;
 - The NCS would lead on workforce development, including improvement programmes to raise standards;
 - For people whose needs are highly complex, their social care provision would be overseen by the NCS;
 - The NCS and NHS would both develop a set of joint outcome measures, which would set the standards for health and social care;
 - The Care Inspectorate and Scottish Social Services Council would to be part of the NCS, allowing the NCS to play a role in the inspection of services and the regulation of the social care workforce;
 - The NCS would address gaps in social care in relation to workforce planning, data and research, IT and service planning.

Consultation on establishing a National Care Service (NCS)

- 4.2 The Scottish Government has commenced a widespread consultation into the development of the NCS, running from 9 August until 2 November 2021. The consultation document goes into areas which the IRASC didn't cover in terms of the future development of IJBs and the delegation of services. For example, it asserts that all children's and justice services should be delegated and delivered as part of the NCS.
- 4.3 The consultation document is lengthy and contains approximately 100 questions, seeking feedback in relation to the following themes (each reflecting a chapter in the document):
- Improving care for people
 - The National Care Service

- The scope of the NCS
- Reformed Integration Boards
- Commissioning of Services
- Regulation
- Valuing people who work in Social Care

Community Health and Social Care Boards

- 4.4 The IRASC recommends that Integration Authorities, created under the Public Bodies (Joint Working) (Scotland) Act 2014, should be reformed to take full responsibility for the commissioning and procurement of adult social care support locally, accountable directly to the Scottish Government as part of the National Care Service.
- 4.5 A further development in the consultation document is the proposal that IJBs should reform into Community Health and Social Care Boards (CHSCBs) which would become the sole local delivery bodies for health and social care. CHSCBs would be accountable directly to ministers, funded by the NCS and aligned with local authority boundaries. The consultation document asks for consideration that CHSCBs become employing authorities, with the Chief Officer roles becoming Chief Executives in their own right, reporting to the Chief Executive of the NCS). As well as authority for planning, commissioning and procurement, it is proposed that management of the GP contract also sits with CHCBs.

Developing a local MIJB response

- 4.6 On the 16 September a MIJB development session was held along with Health and Social Care Moray (HSCM) leaders in order to inform a MIJB response to the consultation. The session involved the use of facilitated breakout sessions to encourage a wide contribution to the consultation themes.
- 4.7 A draft response will be prepared following this session. This response will very likely require to note and accept diverse views and opinions. It is not intended that a single, shared set of responses be elicited. It is proposed that a draft response is collated, shared and approved on behalf of the MIJB by the Chair/Vice Chair. In addition, a request has been made to facilitate a similar session for all elected members, which will be arranged within the timescales of the consultation.
- 4.8 In addition to contributing to the proposed response, individuals, groups or teams are free to respond to the consultation as they see fit via the links and resources at <https://consult.gov.scot/health-and-social-care/a-national-care-service-for-scotland/>

Early reactions

- 4.9 How has the IRASC report landed?
- COSLA and SOLACE endorse principles of empowering people, valuing the workforce and embedding a human rights approach to social care.

- Concern at the recommendation to remove accountability for social care from local government and give to Scottish Ministers
- Review is strongly supported by Disability Groups, Carers organisations, third sector providers and Scottish Care – including creation of NCS.
- Health and Social Care Scotland (Chief Officers' network) agreed to work collaboratively to work on areas of 'common ground', though some areas have expressed a degree of concern as to how certain aspects of the review findings will sit alongside a locally governed approach.

4.10 Further reaction since the consultation launch:

- COSLA has released a strong response and expressed concerns over implications of the NCS consultation focus, describing it as being significantly at odds with how local government functions in Scotland. Concern was expressed by COSLA in relation to 'departures' from the IRASC itself in relation to elements of the consultation document which were not features of the IRASC report.
- Concerns have been expressed as to the length of time available to consult, which although now slightly extended, is a shorter time frame than the Scottish Government's own guidelines in relation to consultation on major service change.

5. SUMMARY OF IMPLICATIONS

(a) **Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP)) and Moray Integration Joint Board Strategic Plan "Moray Partners in Care 2019 – 2029"**

This links to Outcome 7 of the Strategic Commissioning Plan "Partners in Care" – People using health and social care services are safe from harm.

(b) **Policy and Legal**

Social Work (Scotland) Act 1968; Carers (Scotland) Act 2016

(c) **Financial implications**

None directly associated with this report.

(d) **Risk Implications and Mitigation**

None directly associated with this report.

(e) **Staffing Implications**

None directly associated with this report.

(f) **Property**

None directly associated with this report.

(g) Equalities/Socio Economic Impact

There is no requirement for an equality impact assessment because there is no change to policy required as a result of this report.

(h) Consultations

Consultations have been undertaken with the following staff who are in agreement with the content of this report where it relates to their area of responsibility:

Health & Social Care Moray Senior Management Team
Tracey Sutherland, Committee Services Officer, Moray Council

6. CONCLUSION

6.1. The Adult Social Care Review proposed complex change for adult social care. The early indicators are that many aspects have widespread support however there is much detail to be worked through with multiple stakeholders.

6.2. The consultation in relation to the formation of a National Care Service is eliciting strong and diverse opinion, and widespread engagement with the consultation is encouraged in order to convey the range and volume of feedback being generated.

Authors of Report: N Strachan, Lead for Strategy & Performance & Deputy Chief Officer

Background Papers:

Ref: