February 2017

Thank you for your letter of 18 January, which responds to my letter to you, dated 1 December, and follows the Inquiry by the Health and Sport Committee into the social and community care workforce and your initial letter to me of 26 October.

I share your views on the importance of this subject and your acknowledgement of the dedication and commitment shown by workers in this sector. I welcome this opportunity to respond to the additional points raised in your follow up letter.

**Evaluation of Health and Social Care Partnerships**

My previous letter highlighted the transformative change we are undertaking with our social care and health services in Scotland, through integration, self-directed support, improvement in general practice and wider primary care, improved support for carers and approaches which are focussed on early intervention, collaborative working and use of improvement methodologies. The new Health and Social Care Partnerships (Integration Joint Boards) are key to driving much of this change and I gave details in my previous letter about the additional resource we are providing to support this, strengthen social care provision and meet workforce challenges.

You asked about the £500 million additional funding over three years (2015/16 to 2017/18) that we are providing directly to Partnerships to support new ways of working, specifically about how these new ways of working are being evaluated.

The Public Bodies (Joint Working) (Scotland) Act 2014 places a duty on Partnerships to prepare and publish a strategic plan for all the integrated functions and budgets they control, and statutory guidance was published by Scottish Government to
support this work. All Partnerships completed their strategic plans by April 2016, as required. These set the vision and direction of travel, and determine strategic priorities, based on robust strategic needs assessments and wide-ranging engagement across all stakeholders. Scottish Government undertook a review of these plans to provide an overview of the content and approach of these first iterations, and to identify common themes and areas for further development. This overview was intended to assist local systems to accelerate the transformational potential of their plans into delivery of sustainable new models of care and support that are focused on improving outcomes for people.

Each Partnership is required to regularly review its strategic plan and to publish an annual performance report setting out progress against the statutory outcomes for health and wellbeing, using the integrated budget. Annual performance reports will report on a core set of indicators, as well as additional measures agreed locally. These public reports will assess progress made in developing new ways of working and how new models of care are assisting Partnerships to deliver on the outcomes for health and wellbeing. These reports will identify how integrated budgets are being used, including the funding provided to support new ways of working. In addition, Scottish Government has commissioned Healthcare Improvement Scotland (HIS) to provide support and opportunities for shared learning in developing new ways of working. For example, HIS is currently testing and evaluating Buurtzorg, which is a care delivery model for community care established in the Netherlands in 2007 by Jos de Blok.

**Promotion of the value and role of the workforce.**

You have enquired about the research commissioned on public understanding of the social services sector that I referred to in my letter of December 1st, and how the Scottish Government is promoting this workforce to other aspects of the health sector.

1. Research on public understanding of the social services sector.

The research project on public understanding of the social services sector referred to in my previous letter was commissioned in 2016 as part of the work being delivered through the **Vision and Strategy for Scottish Social Services 2015-2020**. This Strategy was published by the Social Work Services Strategic Forum in March 2015. The Forum includes partners from across the sector and is chaired by the Minister for Childcare and Early Years. One of the four key workstrands being delivered by this Strategy is the promotion of public understanding which is important in recognising the value of the sector and the people who work within it.

The research aims to better understand public attitudes and perceptions of social services by exploring the level of knowledge, understanding and public attitudes towards social services and the reasons for these views. An initial online survey of 2,500 participants was completed by end December 2016 and the researchers (University of Dundee and Glasgow Caledonian University) are now undertaking a series of Focus Groups to further explore the survey findings. Final results and a completed report are expected by March 2017.
The outputs from this research will be of interest to a wide range of stakeholders who will be able to reflect on what its findings mean for their work and plans. The partners of the Social Work Services Strategic Forum will also discuss the findings and consider what further action might be useful and what activity they may wish to undertake collaboratively to improve public understanding of the sector.

2. Promotion of the role of the workforce

As you will be aware, this is a topic of specific interest to employers and wider stakeholders. An example of the kind of approaches being taken is the development by the Social Work Services Strategic Forum of new Scottish Social Services Awards. These awards will provide an opportunity to raise the profile of the sector, demonstrate its value and highlight the commitment and innovative approaches of those who work within it. The awards were launched recently, with the winners to be announced at an awards ceremony on 13 June 2017. Further details can be found on the awards website www.sssa.scot.

The awards ceremony will be linked to a Social Services Expo taking place on the same day to highlight the work of the sector and share innovation and good practice. This Expo builds on similar events supported by the Scottish Government in 2013-2015 and in 2017 it will be run collaboratively with the Social Work Services Annual Conference. The Expo will be a free event for practitioners to attend and will be a mixture of workshops and speakers as well as a market place showcasing innovative services and approaches.

As you note in your letter, I and my Ministerial colleagues take many opportunities that arise from our direct engagements with stakeholders to promote and raise the profile of this workforce. One recent example is in my speech to the Council of Deans of Health UK Annual General Meeting on 24 January, I highlighted the investment we are making, through the Scottish Social Services Council, in up-skilling and professionalising this workforce to help ensure they are seen as a skilled part of multidisciplinary teams providing health and social care services.

Procurement best practice

Your letter asks about the monitoring and assessment of the new statutory and best practice guidance on Procurement of Care and Support Services and the Public Contracts (Regulations), 2015, that were introduced in March and April 2016, respectively.

It is for public bodies to put in place contracts that best meet the needs of users and to monitor performance of that contract. The best practice guidance published in March 2016 highlights the importance of contract management and of reviewing the effectiveness of individual procurement procedures. In addition the guidance highlights that a key consideration of public bodies is to seek to achieve positive outcomes for people who use services and also their carers through the delivery of good quality, flexible and responsive services which meet individuals’ needs and respect their rights and which improve the economic, social and environmental well-being of a public body’s area.
The Procurement Reform (Scotland) Act 2014 introduced a number of measures to increase the transparency and impact of public procurement activity. It introduced a requirement for public bodies with a regulated procurement spend of £5 million or more to produce and publish a procurement strategy, setting out how they will meet the obligations of the Act. The Act requires that a public bodies procurement strategy includes a statement of their general policy on consulting and engaging with those affected by its procurements; this should include those who receive care and support services. We expect that the publication of procurement strategies will help promote the positive impacts public procurement can have on Scotland’s economy and public services.

Public bodies were required to publish their first procurement strategies by 31 December 2016 and will be required to publish an annual report, setting out whether their procurement activity complied with their strategies, although the first procurement strategies will cover the remainder of the financial year in which 31 December 2016 occurs and the first full financial year starting after that date. Scottish Ministers must then produce a report providing an overview of the procurement activity in Scotland, based on the information contained in the annual reports.

Reassessment process

You ask if the Practitioner Guidance in support of the self-directed support legislation addresses the specific concerns raised about time delays in local authorities response to changes in circumstances. Guidance on reviews is provided within the Practitioners Guide and the Statutory Guidance and this includes reference to timescales and the maximum period within which reviews should take place. I have set out the relevant parts of this guidance below.

The practitioners guide

- An effective support plan should outline clear timescales and date of review.
- The supported person is clear about how the plan will be monitored and reviewed and how this will support their agreed outcomes
- Local authorities have a duty to undertake reviews where support is provided to meet eligible need and as a response to a significant change in circumstances. Frequency will be guided by risk and other factors.

The statutory guidance which accompanies the Social Care (Self-directed Support) (Scotland) Act 2013

- The authority should be prepared to respond to the likely demand for reviews. It should aim to conduct reviews within a maximum period of 12 months. It should consider the review as a means by which to prevent crisis or to respond and adapt to the supported person’s life.
- The authority should ensure than an initial review date is set when the supported person and authority agree the assessment and support plan. The supported person should be made aware that they can request a review sooner if their circumstances change.
Reform of the National Care Home Contract

You ask for additional information regarding the timescales of the process for reform of the National Care Home Contract that I referred to in my letter of December 1st.

The National Care Home Contract (NCHC) defines the terms of local authority placements into private or voluntary sector care homes and is wholly owned and negotiated by COSLA, Scottish Care and the CCPS. Over the past 8 months, significant efforts have been made by all three partners to develop a care cost calculator to inform the fee setting arrangements for 2017/18 and future years. Negotiations are now underway to populate the calculator and agree related fee rates. We expect these negotiations to conclude by the end of this financial year. It is hoped these new arrangements will create the necessary impetus for the development of a more outcomes based approach to service delivery and allow the testing of new types of service provision within the residential sector during 2017/18. Partners are working with COSLA and providers to support such innovation and the whole process of reform is actively supported by Scottish Government.

The Living Wage

You are seeking additional information on the Living Wage in the context of sleepovers.

Historically “waking” hours have been paid at an hourly rate and sleepover shifts where the care worker has been sleeping have been paid at a lump sum rate. In 2014 the Employment Appeals Tribunal (EAT) ruled that, over an average pay reference period, employee pay must not fall below the National Minimum Wage, including sleepover hours.

As I highlighted to you in my letter dated 21 December, our intention is to extend our commitment to the Living Wage to include sleepovers during 2017/18 and this has been built into the local government finance letter. Alongside this we have a programme of work in place to reform how sleepovers are used to ensure that we are offering the most appropriate care to those requiring support, including a joint session which was held on 1 February and run by iHub and HIS, delivered in partnerships with ourselves, COSLA, CCPS, Scottish Care and Unison Scotland, which looked at ways in which to redesign sleepovers. I would like to reiterate that this approach has been agreed with COSLA and has the support of the provider organisations, CCPS and Scottish Care, and UNISON / STUC.

Community Clinical Healthcare Support Worker staff

You have asked for timescales on the work NES is doing to support a NHS Board with development of their Community Clinical Healthcare Support Worker staff

This work with the NHS Board (NHS Lothian) is very much at the initial planning stages and there is currently no agreed timeline for completion. There is however commitment on both sides to take this work forward and meetings are in place to do this. It is anticipated that the focus of the initiative will be to work with one Integrated
Joint Board within the health board and explore the required skills of the Clinical Healthcare Support Worker staff so they would be able to work across both health and social care and also to consider how a recognised qualification could be developed to support this happening.

The Impact of Brexit

Your letter asks if I can keep you informed of work to improve our understanding of the number of EU citizens working in social services in Scotland. We are continuing the work on developing an approach to this and I am happy to provide an assurance that we will keep you informed as this progresses.

Conclusion

I appreciate the work that you and the Committee have been doing in this important area. I mentioned in my letter of 1 December our thinking on a National Workforce Plan, to be developed and implemented in partnership with others. I am pleased to inform you that a National Discussion Document on this plan will be available - starting the process of improving workforce planning across health and social care. This will help ensure that we have the right people in the right place at the right time to deliver better outcomes in the future. In developing this approach we recognise the need for staff from all backgrounds and all professions to work more closely with each other across boundaries.

The Scottish Government is committed to working with our partners in delivering excellent health and social care. A valued and robust social and community care workforce is essential to deliver the outcomes sought by the many people, families and communities in Scotland who are supported by this workforce. I hope that the responses set out in my letter are helpful.