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The National Care Service (Scotland) Bill

You will be aware that the Cabinet Secretary for Health and Social Care has introduced the above named Bill to the Parliament.

This Bill sets out principles for the National Care Service (NCS) and also states that it is the duty of 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 delivers a National Care Service, accountable to Scottish Ministers, with services designed and delivered locally in line with the expectations of many who have participated in recent consultations.

The Bill therefore provides for a power to transfer accountability for a range of services, including adult social care and social work services, to the Scottish Ministers, subject to Parliamentary approval. With regard to any potential transfer of children's services and justice social work services - recognising that those areas were not examined specifically by the Independent Review of Adult Social Care - the Bill requires a further public consultation to be held and the results to be laid before Parliament alongside any regulations. A final decision on whether to pursue such a transfer in relation to those areas, and how that might be phased, will be subject to further detailed consideration and evidence gathering with key partners.

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

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- 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.

Through the creation of the National Care Service, we intend to:

- focus on prevention and early intervention before people's needs escalate
- support people in their own homes or among family, friends and community wherever possible, with seamless transitions between services
- promote fair employment practices for staff and national pay bargaining
- create a new National Social Work Agency to promote training and development, provide national leadership and set and monitor standards in social work

It is essential that the National Care Service and the services it delivers are designed collaboratively with people with lived experience of accessing and providing social care support. To enable our approach to co-design, the Bill itself creates a framework for future delivery through a National Care Service.

In line with our commitment to working with people, partners and stakeholders, much of the detail will be developed over the next few years through co-design, with supporting regulations brought forward as necessary. I have no doubt that we will have much discussion about this over the coming months. I am confident that this is a robust approach to ensure that we successfully embed a human rights based, person centred and outcome led approach to both our regulatory framework and front line implementation.

Consideration has been given to the impact of the Bill with the completion of the following impact assessments:

- Equality Impact assessment,
- Business and Regulatory Impact Assessment
- Childrens Rights and Wellbeing Impact Assessment
- Island Communities Impact Assessment
- Data Protection Impact Assessment
- Fairer Scotland Duty Assessment

These impact assessments have been published on the Scottish Government website at [National Care Service - Social care - gov.scot \(www.gov.scot\)](http://www.gov.scot)

To accompany the Bill, we have also published:

- 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.

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I look forward to working with you and the Committee as part of your considerations of the Bill.

Yours Sincerely,

Kevin 

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