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12th of July 2023

I am writing to provide an update on the National Care Service (Scotland) Bill (NCS Bill), which I committed to do at my last evidence session with the Committee on 9 May 2023.

As discussed at Committee, we are using the additional time provided by the extension to the Stage 1 deadline for the NCS Bill to undertake widespread engagement with people with lived experience, workforce representatives, unions, local government and providers. This will ensure we have the information needed to make the Bill as robust as possible, as well as supporting improvements to the social care system ahead of the establishment of the National Care Service.

Co-design

As outlined in my previous correspondence of 23 May 2023, we are undertaking an ambitious programme of local co-design activity this summer. Between June and August 2023, we are holding nine regional forums across Scotland to enable people to participate in co-design in their local communities. There will also be five online events in August. We are delighted to have had strong interest in the summer forums, and have doubled the provision of sessions in Glasgow to accommodate everyone that wants to participate.

The first of these regional forums took place in Stirling on 20 June. Over 60 people attended the event and contributed their expertise to discussions around the themes of Information Sharing to Improve Care Support; Keeping Care Support Local and Valuing the Workforce.

The second forum was held in Glasgow on 28 June with over 80 people participating in discussions around the themes of Keeping Care Support Local; Realising Rights and Responsibilities and Making Sure My Voice is Heard. This forum included discussions on the Charter, and we are continuing co-design with seldom heard voices and people with diverse lived

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experiences to ensure that the Charter will deliver for them. I look forward to sharing a draft of the Charter with the Committee in due course.

We are also organising satellite events around the regional forums to make sure we hear from a wider range of people from different demographics, including those unable to travel to the venues.

These events mark the start of a wide-reaching programme of co-design activity that will take place over the next 18 months.

Discussions with unions and local government over summer 2023

Additionally, I continue to meet frequently with union representatives, and the First Minister and the Cabinet Secretary for NHS Recovery have recently had meetings with the STUC and affiliated unions, at which the National Care Service was discussed.

Recognising the current challenges in the social care system identified by union representatives, we continue to work closely with the unions on the Fair Work agenda. We recently had a useful joint meeting with the unions and the independent chair of the Fair Work in Social Care programme, Andy Kerr, focused on the progress of the effective voice and sectoral bargaining workstreams.

The theme of Valuing the Workforce will be covered at a number of the regional forums mentioned above, and we hope to involve a wide range of front line workforce members in co-design at these events. This session was well attended at the Stirling event and we hope to build on that over the summer.

Scottish Government officials have been working with local government with the aim of reaching a consensus position on the Bill, which will allow us to deliver on the urgent improvements needed to strengthen the delivery of integrated health and social care for people.

An initial consensus proposal between the Scottish Government and Cosla (on behalf of local government) has been formed on a partnership approach that will provide for shared legal accountability. This will improve the experience of people accessing services by introducing a new structure of national oversight to drive consistency of outcomes, whilst maximising the benefits of a reformed local service delivery. It would provide Scottish Ministers, local authorities and NHS boards with overarching shared accountability for the care system. Local Government will retain functions, staff and assets.

We will continue to engage with local government, our workforce representatives and people with lived experience to make the Bill as robust as possible to secure improved outcomes for people. We are currently considering necessary amendments to the NCS Bill to reflect this and will revert to the Committee after summer recess.

Children's services relating to the NCS Bill

The Minister for Children, Young People and Keeping the Promise has written separately to the Committee and the Education, Children and Young People Committee on 23 June 2023 to advise of the publication of the first interim report from the Children's Services Reform research, published by CELCIS on 21 June 2023. All reports from this research will be published in due course at the same web address indicated in that correspondence. Following further interim reports, the second of which was published on 28 June, it is planned to publish the final report towards the end of October.

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Justice social work services relating to the NCS Bill

A programme of work to help inform a decision on the possible inclusion of justice social work (JSW) within the NCS is ongoing. This includes research which will combine a desk review with a programme of interviews with JSW staff, partner organisations and service user groups. A final report is due in late September. In addition to this research, the Scottish Government continues to maintain an ongoing dialogue with key stakeholders. This includes a Reference Group and Workforce Panel (practitioners) which are meeting regularly to help shape, support and challenge the programme of work. The first of our wider stakeholder sessions were held in-person and virtually between March and May, with 200 JSW staff and partners in attendance. Further workshops to consider the final research and help analyse future delivery options for JSW will be held in the autumn.

Updated position on improvement work being undertaken now

I also wanted to take the opportunity to provide an update on improvement work that the Scottish Government are undertaking which I hope gives the Committee a broader perspective.

In November 2022, a Ministerial Advisory Group was established to discuss and tackle current system pressures. We took a number of actions to support the system deal with pressures including the additional investment of up to £8 million that was made available to HSCPs to utilise additional interim beds – resulting in over 500 people being discharged from hospital to this provision.

In January 2023, NHS Chief Executive, Caroline Lamb, and COSLA Chief Executive, Sally Loudon, instructed Health Boards and Health and Social Care Partnerships to undertake a focussed review/assessment of all discharge plans. This had an evidenced impact on removing barriers to discharge by ensuring better joint working across teams, and providing a holistic, whole system approach to planning for discharge.

In January 2023, the Chief Executives of NHS Scotland and COSLA wrote to all Territorial Boards, IJBs and LAs to request a focused discharge event beginning in the week commencing 23 January 2023 as a means of addressing unacceptably high occupancy rates. These events proved invaluable in reducing delayed discharges. This learning was built into the Delayed Discharge and Hospital Occupancy Action Plan

Officials are now in the process of developing a winter plan for 2023/24 with the aim to make this available earlier than in previous years to assist systems in preparing ahead of winter and reducing the impact on delayed discharges.



Maree Todd

Minister for Social Care, Mental Wellbeing and Sport

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