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13<sup>th</sup> of December 2023

Dear Clare,

### **Post-legislative scrutiny of the Social Care (Self-directed Support) (Scotland) Act 2013**

Thank you for your letter of 3 November 2023 regarding the Health, Social Care and Sport Committee's plans to undertake post-legislative scrutiny of the Social Care (Self-directed Support) (Scotland) Act 2013.

I welcome the Committee's planned scrutiny of the act and look forward to reading your assessment in due course.

Since the Act was introduced in 2013, there has been a significant programme of activity by the Scottish Government, Local Authorities and partners to support the implementation of the Act and to improve the provision of SDS across Scotland. This has included Scottish Government published actions plans and statutory guidance.

We recognise that there is still much more to be done, building on the progress so far, to ensure people in Scotland can consistently exercise their right to SDS. This is why we published the [Self-direct support: improvement plan 2023 to 2027](#) in June this year, to ensure a coordinated and collaborative approach to improvement activity by local authorities, third sector organisations, the Scottish Government and COSLA, focused on the right priorities.

The four central themes of the plan are:

1. Supported person and carers' choice and control over their support
2. Enhanced worker skills, practice and autonomy
3. Systems and Culture

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#### 4. Leaders understand and help staff realise SDS principles and values

Under each of these key themes are activities that focus on strategic areas for improvement, underpinned by the overall shared ambition of improving the experience of accessing SDS.

As outlined in more detail in our response below, the establishment of the National Care Service will help to further these efforts to improve the implementation of SDS in Scotland and provide Ministers with greater oversight and recourse for action when these standards and rights are not met.

The information requested as part of phase one is provided below. I hope this response is helpful to the Committee's deliberations.

We would be happy to provide further information if required.



**MAREE TODD MSP**

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## Updates

### **An update on the actions set out as part of the Scottish Government's response to the Public Audit and Post-legislative Scrutiny Committee's 2018 inquiry.**

We are building upon previous scrutiny of the SDS legislation and subsequent recommendations with a continuous improvement approach. More detail is included in Annex B, attached separately, which provides an update on the Government's initial response to the 2018 inquiry and reflects the progress made to date on the delivery of those recommendations and actions.

### **A copy of any impact assessment on the impact of the National Care Service (Scotland) Bill on SDS, particularly given the previous effects of provisions in the Public Bodies (Joint Working) (Scotland) Act 2014 on SDS.**

All of the impact assessments completed at the time of the NCS Bill's introduction have been published and are available on the Scottish Government's website: [National Care Service - gov.scot \(www.gov.scot\)](https://www.gov.scot/national-care-service)

Further updated impact assessments may be completed during subsequent stages of the Bill's progress.

### **Further detail of how the Scottish Government intends upcoming legislation will facilitate implementation of SDS.**

The Independent Review into Adult Social Care (IRASC) showed that integrated health and social care provision is inconsistent across the country and is not meeting the needs of the people of Scotland. Therefore, one of the key purposes of the National Care Service (Scotland) Bill, as set out within the policy memorandum published at time of the Bill introduction, is to enable people of all ages to access timely, consistent, equitable and fair, high-quality health and social care support across Scotland. The NCS also aims to take a person centred approach to ensure that integrated services recognise individual circumstances.

As part of its commitment to a continuous improvement approach, the NCS Bill will complement and build on the work of the [SDS Improvement Plan 2023 - 2027](#), supporting the implementation of SDS in Scotland.

For example, since the Social Care (Self-directed Support) (Scotland) Act 2013 came into force in 2014, several reviews have highlighted inconsistencies in SDS implementation across Scotland.

By establishing a National Care Service, we aim to end the inconsistency of care provision across Scotland, ensuring quality, fairness and consistency of provision that meets individuals' needs. One of the ways the NCS Bill will help to achieve this, is through the new national shared accountability framework agreed with COSLA.

The proposed model of shared accountability will improve the experience of people accessing services by introducing a new structure of national oversight to drive consistency

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of outcomes, whilst maximising the benefits of a reformed local service delivery. National oversight, through a National Care Service Board, will allow for better sharing of good practice and innovation, which we know is taking place right across the country.

Striking the right balance between securing national consistency of service quality, while allowing flexibility to design services that reflect local circumstances is a key priority. We are co-designing and consulting extensively with stakeholders on how best to provide an NCS that delivers both national consistency and local flexibility.

The consultation on the SDS Improvement Plan identified key areas where improvements in SDS delivery should be prioritised. This included ensuring that the supported person and carer have access to information, advice, advocacy and quality support. The NCS Bill will support these outcomes through the provision of:

- a charter to help people understand their rights and responsibilities when accessing support and how to access advice, advocacy or make a complaint if rights in the charter are not met;
- a coherent, consolidated and consistent approach to independent advocacy across the NCS; and
- a scheme and standards for sharing information, to facilitate a nationally-consistent electronic health and care record.

It is important that where SDS needs are not met, there is a clear, simple and accessible complaints process. The IRASC noted the complexity of the current complaints system within social care in Scotland and the Bill seeks to address this.

We are co-designing a complaints service for the NCS that delivers accountability with people with lived experience of accessing and providing social care support, social work and community health services, as well as with relevant stakeholders.

In addition, through the development of the NCS we are co-designing, with people with lived experience of accessing social care support and community health services, options for how we might strengthen the current approach and improve access to independent advocacy. Independent advocacy is central to empowering people to have their voices heard and participate fully in decisions about their care.

Taken together, the Charter of Rights and Responsibilities, Independent Advocacy and the NCS complaints service will empower people, including those accessing self-directed support, to more accessible recourse. As part of its monitoring and improvement role, the NCS National Board will oversee a support and improvement framework, including the power to intervene for when rights and standards are consistently not met.

## **Improvement plan**

### **Detail of the consultation process that informed the current improvement plan, including an analysis of consultation responses/activities.**

Development of the Improvement Plan was led by an Improvement Plan Working Group including representatives from the Scottish Government, COSLA, Social Work Scotland, Self Directed Support Scotland and other key delivery partners. The consultation process was delivered by the Working Group and involved engagement with supported people, carers,

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local authorities, third sector and independent sector organisations and included providers, commissioners, social workers, disabled people’s organisations, professional bodies, independent support organisations and individuals.

The consultation sought views on the priorities and actions within the plan and how these could be measured to check that they are working.

The consultation process took place from January – February 2023 and involved a series of online roadshow sessions to enable stakeholders to find out more about the plan and contribute their feedback. Organisations and individuals were also invited to share their views via an online consultation form.

More than a hundred responses were received from individuals and organisations through roadshow attendance and/or the online consultation. An overview of respondents is provided below:

Stakeholder Group	Number of Respondents
Local authorities/HSCPs	20
Third Sector	24
Care Providers	5
National delivery partners	7
Individuals	15*
Other	3

\*Total includes direct responses from individuals only. Further feedback from individuals was included in many of the organisational responses.

While it was not possible to reflect every comment or suggestion made during the consultation, the plan incorporates the most commonly expressed views about what needs to happen to improve SDS, and what needs to be prioritised.

The responses to the consultation highlighted several issues that will be key to improvement:

- ensuring people with lived experience are involved in planning services;
- ensuring people who need social care support are informed about SDS and understand their rights;
- ensuring access to support, including independent support and advice throughout the SDS process;
- making sure SDS is included in social workers’ education and ongoing training; and
- ensuring leaders are informed about SDS and subscribe to the values and principles of SDS.

The issues highlighted above make up the foundations of the four key themes of the Improvement Plan, with relevant activities developed within each theme to ensure that the most common priorities expressed in the consultation are reflected in the plan.

Many of these key issues also influenced the “Golden Threads” of the Improvement Plan, a number of cross-cutting issues which are fundamental to the full delivery of SDS. The golden threads are areas that all activity related to SDS improvement should consider in implementation.

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## **Detail of specific pieces of work underway to address actions detailed in the improvement plan and how these are intended to improve outcomes.**

### Support in the Right Direction Programme

Inspiring Scotland receives funding to deliver the Support in the Right Direction Programme (SiRD)

SiRD is delivered through partnership agreements with third sector organisations in each of the 32 Scottish Local Authority areas by providing Advocacy and Brokerage services.

The partnership organisations will provide people and their carers with independent advocacy on social care and Self-Directed Support in their local areas. This will include pre-assessment support to help people understand the local process, and the options available. It will help people to think through and articulate their needs, help them develop support plans, provide information on local support organisations, peer support and signposting for support to employ and manage staff.

Scottish Ministers have agreed that SiRD will continue from 2024/5 as a multi-year programme, supported by £3.3m per year for three years.

### Core Grant Funding

Core grant funding of £700,680 for 23/24 is being provided to Social Work Scotland, Self Directed Support Scotland, In Control and the ALLIANCE to deliver outcomes through a series of activities as identified in the SDS improvement plan 2023-2027. An overview of the activities being delivered by each organisation is included below:

**Social Work Scotland** seek to achieve a more informed workforce better equipped to support individuals to exercise their choices through the following activities:

- Finalise, publish online and promote practitioner toolkit as a guide to SDS practice resources.
- Develop Practice Guidance (including illustrative examples) to support implementation consistent with the refreshed SDS Statutory Guidance and revised SDS Framework of Standards.
- Working with OCSWA, ensure the principles of SDS are reflected in the emerging post-qualifying Advanced Practice Framework for Social Work, including describing the knowledge, competencies and skills required across the full breadth of social work roles.
- Aim is to provide the social work workforce with access to a range of SDS specific education and training resources to ensure the workforce has the necessary knowledge, skills and competencies articulated in the emerging Advanced Practice Framework.
- Review of current SDS training at both local and national level, consistent with an alignment to the Advanced Practice Framework for Social Work.
- Support Local Authority leaders across Scotland to innovate, embed, implement and sustain good practice to ensure that all care groups have access to SDS, incorporating self-evaluation to understand where the opportunities and challenges exist.
- Review, refresh and promote the SDS Standards. The refresh will use the principles of Equalities Impact Assessment, Fairer Scotland Action Plan and

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Islands Community Impact Assessment to ensure that they cover all equality groups, care groups including informal carers, islands and diverse geographies.

- Continue to support local areas to embed the SDS Standards.

**Self-Directed Support Scotland (SDSS)** provide health and social care professionals, other voluntary organisations and educational institutions with the resources they need to champion SDS. This includes:

- Continuing to build capacity of supported people and Independent Support Organisations (ISOs).
- Promoting SDS using agreed common language reflecting good practice, including through information sessions.
- Maintaining and developing the Personal Assistant Employer Handbook and related PA Employer resources.
- Considering and developing ways in which the SDS framework of standard may be adapted and used by ISO's to build on improvement of SDS across the whole system.

**Self-Directed Support Scotland (SDSS) also** receives funding to deliver the SDSS National Brokerage Service

Self-Directed Support Scotland (SDSS), in partnership with Community Brokerage Network (CBN), receives funding to scale up the delivery of existing local practice to a national framework by working with independent support and brokerage organisations.

As the lead agency, SDSS will continue to deliver the SQA Award for Brokerage, develop a National Brokerage Framework for Scotland. support practitioner understanding and knowledge of community brokerage and develop the Approved Brokers Community of Practice

**In Control Scotland** work with organisations, health and social care partnerships and people across Scotland by providing training, development and consultancy and share learning to improve the experience of SDS. A number of the below workstreams are taken forward in collaboration with individual local authorities:

- Review the involvement of supported people and carers in planning and evaluating social care support services and make improvements where identified. Including through the use of Planning with People Guidance and in line with Equal Partners in Care principles.
- Enabling flexible use of individual budgets in accordance with the supported person's choice, outcomes identified in their support plan and desired degree of control.
- Develop and share good practice on commissioning for SDS, and ensure processes align with the most up-to-date guidance and principles from the Adult Social Care (ASC) Ethical Commissioning Working Group.
- Work to further develop the flexible use of budgets for short breaks for carers, for example promoting examples where positive outcomes have been achieved, and sharing learning about the flexible use of SDS budgets.
- Supporting local review, good practice and improvement of Resource Allocation Systems, for example testing of calculation methodology, and sharing learning and good practice more widely.

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**The ALLIANCE** works with partners and networks to gather feedback, suggest improvements and identifying any gaps on SDS communication materials from people living with sensory loss. This includes:

- Ensuring SDS communications are in accessible formats. This includes communication about support planning and the promotion and signposting of appropriate tools and language services.
- Utilising experience of Scottish Sensory Hub, working with partners and networks to gather feedback, suggesting improvements and any gaps on SDS communication materials from people living with sensory loss.

## **Scottish Government Policy & Data**

Alongside the activities outlined above, the Scottish Government is taking actions to support local authorities to embed SDS within relevant local policies and plans reflecting SDS as the way social care support should be delivered.

The SDS Improvement Policy Team have worked alongside other colleagues to improve the SDS related data and feedback received through the Health and Care Experience Survey to better understand the extent that individuals are accessing their preferred option and their personal outcomes are being met.

The Team continue to work closely with other Scottish Government teams to ensure that SDS is embedded into key national priorities including the National Care Service, the Promise, Dementia Strategy, Ethical Commissioning and Getting It Right For Everyone (GIRFE) as they develop, drawing on stakeholder evidence and expertise.

## **Detail of how the improvement plan is different from previous improvement plans, notwithstanding the recognition in the plan that improvement work will span multiple years.**

The Self-Directed Support Improvement Plan 2023-2027 builds on the important progress made by the previous implementation plan and recognises that improvement in social care cannot wait for the creation of the National Care Service. The plan focused on changes that can be made within the system ahead of NCS that will begin to close the implementation gap that currently exists between legislation and the reality of supported people across Scotland.

The Improvement Plan has been created by Scottish Government in partnership with COSLA and the National SDS Collaboration, a group set up to represent the views of the wide variety of stakeholders in the SDS landscape. This collaborative production means that the plan is truly national, setting out the agreed strategy for improvement, ensuring that it is coherent, co-ordinated, and focused.

The current Improvement Plan also provides greater transparency and clarity than previous plans, by including further granularity on the activities that it looks to prioritise and deliver. The collaborative approach to its development has allowed for clear prioritisation of themes and activities, with all contributors recognising that budgetary and operational constraints make this a necessity.

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Finally, the plan commits to annual review that will report on the activities set out within, ensuring that there is regular and appropriate reporting, monitoring and evaluation of activities and their input.

**Further detail of how it is intended that improvement work will span multiple years without a concurrent committed budgetary framework.**

The delivery and improvement of Self-Directed Support across Scotland is funded primarily through local authority budgets who have statutory responsibility for the delivery of SDS. However, additional Scottish Government funding for SDS improvement is in place for this and the coming years to support the implementation of the Improvement Plan.

One of the four key themes of the Improvement Plan is *the supported person and carers’ choice and control over their support*. The Support in the Right Direction (SiRD) programme delivers on this by funding independent advice services across Scotland to deliver local independent support, advice and advocacy in line with Scottish Government’s vision for Self-Directed Support.

The SiRD programme is undergoing a refresh for 2024-2027 and funding of £3.3m per year over the next three years has been agreed by ministers. This equates to an investment of up to £100,000 in every local authority area across Scotland each year.

Other Scottish Government funding for activities beyond the financial year 2023-24, building on Year 1 outputs and new workstreams, will be subject to future budgetary decisions.

**A breakdown of funding allocations outlined in the plan, specifically whether figures detailed are new funding or part of existing allocations.**

The implementation of the plan is supported by a Scottish Government funding programme of £7,547,000 for 2023/24, comprising of a package of grants delivered by Social Work Scotland, Self Directed Support Scotland, In Control Scotland, Inspiring Scotland and the ALLIANCE. The funding programme also includes a refresh and relaunch of the Support in the Right Direction programme, which will commence for three years from April 2024 and an uplift of the direct transformational funding provided to Local Authorities which increased from £3.52m (static since 2018) to support SDS lead co-ordination posts.

Grantee	2023/24 Funding	Improvement Plan Outcome Themes
Local Authority Transformational Funding	£3,696,000	All
Support in the Right Direction Programme	£3,064,855	1
SDS Scotland – Main Grant	£169,000	4
SDS Scotland – National Brokerage Framework	£66,680	1
In Control	£175,000	1, 3
Social Work Scotland	£240,000	2, 4
The ALLIANCE	£50,000	1
<b>Totals</b>	<b>£7,461,535</b>	

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**Sight of any guidance for local delivery partners on funding allocations and associated spending, including how the budget is linked to the expected outcomes detailed in the plan, and how this will be measured/audited.**

As part of the Local Government Finance settlement, £3.696 million has been allocated for transformational funding in support of Self-Directed Support (SDS). This is intended to support the ongoing reform and improvement of social care support to a self-directed model and to achieve self-directed support more consistently across Scotland. Individual annual reporting is provided to outline how funding has been used to support the realisation of the outcomes detailed in the plan.

Core grant funding of £700,680 for 23/24 is being provided to Social Work Scotland, Self Directed Support Scotland, In Control and the ALLIANCE to deliver outcomes through a series of activities as identified in the SDS improvement plan 2023-2027. An overview of how the funding programme links to each of the outcomes within the Improvement Plan is included above.

The grants are monitored through regular reporting and monthly, bi-annual and annual meetings with each Grantee. These meetings and monthly reports are used to understand the progress of the work undertaken towards the activities and deliverables as outlined in the grant offer letters.

These reports will also form part of the overall Monitoring and Evaluation framework of the SDS Improvement Plan. Future funding of activities for the Improvement Plan will be decided on an annual basis.

**Further detail of how the Scottish Government will fully incorporate consideration of dependencies, detailed within the improvement plan, within implementation work. The Committee is particularly interested in exploring work undertaken to ensure there are no unintended consequences across linked policies.**

As detailed in the Improvement Plan, the Scottish Government recognises that the implementation and improvement of SDS is closely linked, and in some cases dependent on, activity being taken forward across other national policy areas.

To ensure alignment of outcomes, optimise effective delivery and to avoid unintended consequences the Self Directed Support Policy area works closely with colleagues across the Scottish Government. This includes ensuring that SDS principles, priorities and improvement activities are appropriately considered and represented in existing Scottish Government governance forums, including, for example, the PA Programme Steering Board and Carers Rights and Support Steering Group.

Effective governance and delivery of the Plan is also enabled through close and regular engagement with relevant policy areas, including those working on Scotland's National Improvement Framework, the development of the National Care Service, the Getting it Right for Everyone (GIRFE) model and the Dementia Strategy.

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In addition, Scottish Government engages regularly with COSLA, via stakeholder meetings and directly, to ensure that the collaborative approach to governance of the plan is upheld. Engagement with local authorities to bring about improvement is facilitated through COSLA and via third sector organisations that are grant funded by Scottish Government to deliver on activities within the plan.

**An update on actions to date to address the recommendations from the Scottish Government commissioned research, and how these have informed priorities for change within the improvement plan 2023-2027.**

Update attached separately in Annex B.

**Sight of a copy of the monitoring and evaluation plan detailed within the improvement plan, alongside detail of specific indicators against outcomes detailed in the plan and a methodology for evaluation, if these are not included within the plan.**

The monitoring and evaluation approach for the SDS Improvement Plan is due to be finalised by the Scottish Government and COSLA, with the support of the National SDS Collaboration by the end of the year. This approach will focus on the improvement delivered through the activities within the plan and will include both performance and learning indicators, focussing on a continuous learning based approach to monitoring and evaluation. I will be happy to share the monitoring and evaluation plan with the Committee once it is finalised.

It is anticipated that the monitoring and evaluation approach will be revisited over the course of the Improvement Plan timeline to ensure that we are gathering the most appropriate evidence at each stage.

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**An update on the actions set out as part of the Scottish Government's response to the Public Audit and Post-legislative Scrutiny Committee's 2018 inquiry.**

**RECOMMENDATION 1 (Audit Scotland, 2017)**

The Scottish Government, COSLA, partners and authorities should continue working together to develop (1) the accuracy and consistency of national data on the number of people choosing each SDS option, and (2) methodologies to understand the impact of SDS on people who need support and their carers.

Scottish Government response (2017):

Accuracy and consistency of data: An evaluability assessment is underway (completion Aug 2018) which will inform changes to data collection. Scottish Government has appointed Blake Stevenson as an independent evaluator to lead on this research to fill evidence gaps and advise on how to evaluate the impact of Self-directed Support, including work with people who use support and their carers. There are three parts to the research:

1. Review and refine the existing evidence framework and identify what data and evidence is required to evaluate the impact of Self-directed Support. This will include reviewing and appraising the utility and quality of existing evidence and making proposals for new data as necessary – progress reports are due February, April and June 2018 and a final report by August 2018.
2. Research the economic/resource implications of Self-directed Support and produce report by August 2018.
3. Research how Option 2 (as the new provision within the Self-directed Support Act where a personal budget is held by the local authority or a third party) works in practice and produce report by August 2018.
  - Data is under development: From 2017/18 Social Care data will transition to the SOURCE platform. This involves the matching of individuals' data across health and social care services in order to better inform service planning. This precludes immediate changes until the process is complete.
  - Impact methodologies – Alliance research on SDS user experience 2017 complete; follow up SDSS user survey will take place 2018-19; externally commissioned evaluability assessment will create costed case studies by August 2018 and suggest future indicators for tracking. Stakeholders including HSCP will be involved at all stages of this work.

Target Completion Date – 1) 2019 following successful implementation of Social care data to SOURCE 2) August 2018 for evaluability assessment

Scottish Government update (2023):

- The evaluability assessment was completed and 4 reports were published (April, 2019).
  - Report 1 is a change map for SDS.
  - Report 2 presents an international literature review; an assessment of current data and other evidence in Scotland on self-directed support; material from

case studies. It outlines the economic and resource implications of SDS. It also makes 5 recommendations for improving routine data collection.

- Report 3 presents the results from 13 case studies of self-directed support in Scotland 2018. It identifies 4 indicators for future monitoring to understand SDS approaches, whether the principles are being upheld and whether the intended policy outcomes are being achieved. It also highlights how option 2 works in practice. These recommendations will be taken into account in the development of the monitoring and evaluation approach to the SDS Improvement Plan.
- Report 4 summarises previous reports.
- Social care data was made available on SOURCE platform (from March, 2020), and is now published on Public Health Scotland. Support was provided or funded by HSCPs in Scotland.
- Following the small-scale, mixed methods Alliance research (May, 2017) on personal experiences of SDS support, a follow-up survey by SDSS and national report (October, 2020) produced findings on impact of SDS on carer and cared for person.

### **RECOMMENDATION 2 (Audit Scotland, 2017)**

The Scottish Government, COSLA and partners should work together to review what independent information, advice and advocacy people will need in future, and how that should be funded after current Scottish Government funding for independent organisations comes to an end in March 2018. This review should involve users, carers, providers and authorities, and should conclude in time for appropriate action to be taken.

#### **Scottish Government Response (2017):**

Independent review, which included all named stakeholders (inc 141 people using social care), was completed and published February 2018. Current Support in the Right Direction funded projects have 6 month extension to Sept 2018; applications are currently open for a new round of funding to run Oct 2018-March 2021. The collaborative approach to designing the new fund with third sector and HSCP/LA partners has been informed by the review.

#### **Scottish Government Update (2023):**

- The Review on independent information and support services was published in February, 2018.
- The report states: “*Scottish Government should involve local authorities in discussions about any future SIRD funding plans, including the type and range of services required in their area*”
  - The data gathered and analysed includes: project reporting data and information; 14 interviews with representatives of six local authorities; interviews with representatives of key national stakeholder organisations; interviews with all but one of the SIRD projects; a survey of SiRD project clients (92 responses); and interviews with 88 people who had used or are using a SiRD service.
  - Finally, the review findings point towards independent information and support as being an essential part of a well-functioning, choice and control-based social care system. This will require ongoing investment and, given their statutory responsibilities, Health and Social Care

Partnerships would appear the most obvious source of that funding - in the longer-term at least - and many are already investing in independent support.

- Scottish Ministers agreed that Support In the Right Direction (SiRD) will continue from 2024/5 as a multi-year programme, supported by £3.3m per year for three years.
- Independent support, which SiRD will focus on helps people get information and advice on social care and the range of self-directed support options in order to choose the best option for them. Previous rounds of funding through SiRD have increased and maintained delivery of independent support across Scotland for people who require social care. Since 2018 more than £11 million has been invested. This investment has supported more than 14,000 people and families to plan and implement the social care support they need to live a good life.

### **RECOMMENDATION 3 (Audit Scotland, 2017)**

The Scottish Government, COSLA and partners should work together to agree how any future financial support should be allocated, taking into accounts how authorities' local commissioning strategies will inform future spending priorities.

#### Scottish Government Response (2017):

Scottish Government funding is aligned to the outcomes and activities in the joint Scottish Government and COSLA Implementation plan 2016-18.

Future implementation activity and funding will also be focused on this plan and subsequent joint plans. COSLA has been a key partner in development of the new Support in the Right Direction fund (£2.9M pa 2018-21).

Target Completion Date – June 2018

#### Scottish Government Update (2023):

- Implementation activity and funding was based on Joint Implementation Plans (2016-2018) and (2019-2021).
- COSLA was a key a partner in development of the new SiRD fund.
- Current funding for the 2023/2024 financial year is based on the activities within the mutually agreed Improvement Plan, published by Scottish Government and COSLA with agreement from the National SDS Collaboration. Going forward the Improvement Plan sets out an expectation that funding will continue to be allocated following the same processes.
- Transformational funding is issued directly to local authorities and Scottish Government officials are working with COSLA on how to ensure robust monitoring and evaluation of this funding on outcomes.



#### **RECOMMENDATION 4 (Audit Scotland, 2017)**

The Scottish Government, COSLA and partners should work together to seek solutions that address the problems of recruitment and retention in the social care workforce.

#### **Scottish Government Response (2017):**

Actions for this recommendation were taken forward within the [Workforce plan part 2](#) which was published in December 2017.

Target Completion Date - December 2017

#### **Scottish Government Update (2023):**

- Scottish Government and COSLA are committed to ensuring a sustainable and stable workforce. Recruitment and retention activities are ongoing, responding to emerging issues and priorities.
- As part of the joint commitment to address longstanding issues, Scottish Government and COLSA developed in partnership the National Workforce Strategy which outlines key actions and activities that work towards the vision of a sustainable, skilled workforce with attractive career choices where all are respected and valued for the work they do. These include a focus on recruitment and retention.
- Scottish Government have developed various packages of support for partners to support local recruitment efforts
- Scottish Government, with sector stakeholders including COSLA, have developed and run the national marketing campaign to attract people into the wide range of roles held by the various employers within the adult social care sector. Scottish Government have funded annual national marketing campaign starting in 2019. The first iteration of this 'There's More to Care than Caring' ran across a range of outdoor, digital and radio channels, and was supported by field activity and the [CareToCare.scot](#) website.
- This year (23/24) Government have developed shorter tactical bursts of activity, that will support local recruitment efforts by creating awareness of the careers available in the sector to specific audiences who are more inclined to apply for positions within the sector.
- Scottish Government have also worked with DWP to develop materials showcasing career pathways in social care to enable DWP Work Coaches to empower their customers to start a career in care. This work has been supported by the Adult Social Care Academy and collaboratively, with the DWP Government, have supported a series of social care career events. These have been held across Scotland throughout 2022/23. Further events are scheduled for early 2024 as part of phase 3 of the current Adult Social Care recruitment campaign.
- Scottish Government have continued funding to enable all social care providers to advertise vacancies on the [MyJobScotland](#) recruitment website at no additional cost, saving providers £1,928,960 between February 2021 and October 2023. By encouraging all providers across Scotland to utilise this vacancy advertisement method, the Scottish Government is assisting in reducing advertising costs for providers
- Specific improvements to workforce development opportunities are being achieved through joint working with NES and SSSC. Scottish Government.

SSSC, NES and partners worked collaboratively to develop a National Induction Framework for social care staff, which was launched in early 2022. The Framework was designed to support an accessible, high quality standardised induction content to complement organisational and role specific training. This work has laid the foundation for the current development of a new Continuous Professional Learning framework and visualisation of career pathways – designed to make it easier for people to identify and embark on career progression journeys.

- The PA Programme Board was established in 2021 to provide advice to Ministers on issues and actions needed to support this workforce. The co-produced Work Plan [here](#), approved at Ministerial level, supports the progress of this Programme Board. Work to improve recruitment, retention and training for PA's will need to be carried out over the longer term as part of the Scottish Government Social Care workforce policy to lead to recognition of PAs as part of the Social Care workforce.
- Since 2016, the Scottish Government has had a joint policy with COSLA to ensure that all adult social care workers in the third and private sectors are paid at least the Real Living Wage.
- As announced in this year's Programme for Government, adult social care workers delivering direct care in commissioned services will see their pay increase to a minimum of £12 per hour from April 2024.
- The Scottish Government's 2016/17 Local Government Settlement contained an additional allocation of £250m provided from the Health Portfolio budget to Integration Authorities for social care.
- In the first 4 years of the policy, additional funding was provided to support investment in integration and sustainability in the care sector – contributions towards adult social care workers pay in the third and private sectors were not separately earmarked.
- With the significant/record amounts invested in pay for adult social care workers in the third and private sectors over the last 2-3 years, the Scottish Government investment in the current financial year is almost 4 times as much as it was in 2020-21.
- We have continued to progress a number of key projects to take forward and improve Fair Work principles that will lead to better terms and conditions and more rewarding roles for the adult social care workforce, which will not only improve the current experience of the workforce, but also help to attract and retain new staff into the workforce.
- Through the National Care Service (NCS), we will continue to improve terms and conditions for social care workers through national sectoral bargaining for the sector. However, our work on introducing sectoral bargaining is progressing ahead of the NCS, in line with the recommendations of the Fair Work Convention.

## **RECOMMENDATION 5 (Audit Scotland, 2017)**

The Scottish Government, COSLA and partners should work together to ensure that the requirement to effectively implement SDS is reflected in policy guidance across all relevant national policies, such as health and social care integration, community empowerment, community planning, housing and benefits.

### Scottish Government Response (2017)

This is a focus for the developing programme of adult social care reform. We are at the early stages of engagement with the developing Local Governance Review and anticipate that this may form a key route to deliver joined up narratives around high quality, person-centred public services, including Self-directed Support. An immediate priority will be ensuring that the Health and Social Care Delivery Plan, the implementation of free personal care for under 65's and the review of Adults with Incapacity legislation fully reflect the requirement to effectively implement Self-directed Support.

Target Completion Date - April 2020

### Scottish Government Update, 2023:

- Since the last update, SDS principles have been reflected across national policy guidance, including the below:
  - The Health and Social Care Delivery Plan (November, 2019) outlines as a programme priority: *“The full implementation of self-directed support is integral to the programme for adult social care reform. We recognise that self-directed support is not yet fully embedded as Scotland’s approach to social care support and are taking action to accelerate change. This has involved co-developing a refreshed implementation plan for self-directed support (2019-2021), engaging over 350 people across Scotland in the process.”*
  - There is separate guidance on Managing SDS for Adults with Incapacity (January, 2020).
  - The importance of implementing SDS is also reflected in the National Carers Strategy; The new Dementia Strategy; A Fairer Scotland for Older People
  - The Verity House Agreement (June, 2023) reflects the need to *“deliver sustainable person-centred public services recognising the fiscal challenges, ageing demography and opportunities to innovate.”*
  - There is a full list of other dependencies in the Self-Directed Support Improvement Plan 2023-27.
- The SDS Improvement Unit within Scottish Government is working with NCS colleagues to ensure integration of SDS within the development of the NCS. This is a ministerial commitment and supports the human rights based approach to the creation of the National Care Service.

## **RECOMMENDATION 6 (Audit Scotland, 2017)**

The Scottish Government, COSLA and partners should work together to routinely report publicly on progress against the 2016-2018 SDS implementation plan and the SDS strategy.

### Scottish Government Response (2017)

An externally commissioned evaluability assessment is currently underway and will agree a revised reporting framework and identify the most effective indicators for informing future reporting. COSLA, an LA representative and other national partners are on the research advisory group. Regular reporting at a national level will build upon the initial public report to be published in May 2018 (see Recommendation No. 7)

Target Completion Date - 2019 following successful implementation of social care data to SOURCE

### Scottish Government Update, 2023:

- As stated above, the Evaluability Assessment was completed and 4 reports published April 2019. This included a set of proposals for new data collection methods and indicators to monitor implementation of SDS at local level and to allow the delivery on intended outcomes of policy which would support monitoring and reporting on the impact of SDS.
- The Research Advisory Group had 4 meetings to discuss and track progress of this externally commissioned research.
- The Review of Independent Information and Support Services (February, 2018) *"..fulfils a specific commitment in the "The Implementation Plan 2016-18, for the Self-directed Support Strategy 2010-2020" (COSLA and Scottish Government 2016) to evaluate how independent information and support help and enable people to achieve personal outcomes, to be in control of their social care and to make their own decisions about social care. The findings from this review will help to inform decisions about future funding of such projects."*
- Transforming social care (August, 2018) reports on progress made towards implementing SDS 2011-2018.
- The Implementation Plan 2019-2021 (June, 2019) *builds on the learning from Transforming Social Care report and the findings of the 2017 Audit Scotland progress report.*
- Inspiring Scotland publish 6 monthly reports on SiRD programme to give an overview of project activity. There are reports dating back to 2017.
- The Care Inspectorate published the Thematic review of self directed support in Scotland: Transforming lives (June, 2019) which considered how well SDS principles and values were embedded across 6 partnerships.
- As per the current Self-directed support: Improvement Plan 2023 - 2027, a monitoring and evaluation plan will be produced (December 2023) which will provide support for regular reporting on an annual basis.

### **RECOMMENDATION 7 (Audit Scotland, 2017)**

The Scottish Government should report publicly in the outcomes it has achieved from the almost £70 million funding it has committed to support the implementation of SDS.

#### Scottish Government Response, 2017:

Social Work Scotland, SSSC and NHS Education Scotland have reviewed all investment from 2010 - date and have collated the identified impact and relevant learning into a Scottish Government report that will be published in May 2018. Impact will be reported against the 4 outcomes of the 2016-18 Implementation Plan and include all relevant tools and products produced with the implementation funding.

Target Completion Date - May 2018

#### Scottish Government Update, 2023:

- The Transforming social care (August, 2018) report details spending of 70 million transformation funding. It states: *The Scottish Government, COSLA and partners will report on progress towards implementation on a regular basis.* Impact was reported against the 4 strategic outcomes of 2016-2018 Implementation Plan. The report outlines an immediate next step as: *the 250+ tools created under Scottish Government funding will also be made more visible and promoted more strongly.*
- As stated in the Implementation Plan 2019-21: *“Relevant training tools and resources created since 2010 (including a Better Conversations tool and videos of good conversations) are available at the Care Inspectorate hub.”*

**An update on actions to date to address the recommendations from the Scottish Government commissioned research, and how these have informed priorities for change within the improvement plan 2023-2027.**

### **RECOMMENDATIONS (Blake Stevenson Ltd, Rocket Science and the York Health Economics Consortium, 2019)**

Current routine data collections are not sufficient to monitor or evaluate against the SDS Change Map and it is recommended that:

- longitudinal research is undertaken with people receiving social care starting from the time of initial assessment
- a survey of staff who administer social care in local authorities is introduced;
- a slightly expanded version of the Self-directed Support User Experience Survey is used to include a high-level question on social care outcomes;
- a survey is conducted of independent and third sector organisations who hold service contracts with statutory services; and
- a reporting requirement should be introduced for local authorities to evidence and self-assess their approach to strategic planning and how they are facilitating creative solutions to achieve individualised outcomes.

### **Scottish Government Update, 2023:**

- The [Adult Social Care Reform programme](#) was developed with supported people, third sector and local authorities, with the implementation of SDS at the core. However, at the onset of the COVID-19 pandemic, social care priorities were refocused to provide an immediate response.
- The [My Support, My Choice](#) (October, 2020) SDS user experience survey is an expanded version of [SDSS 2016 Pilot Study](#).
- It contains the following high-level question on social care outcomes for SDS users: *How has self-directed support changed your life?*
- One of research questions also includes: *Are people able to access care and support arrangements that are flexible and tailored to meet their own personally defined outcomes?*
- Whilst we do not hold data around independent and third sector organisations and their service contracts with statutory services, we would welcome a survey around this.
- The [SDS Framework of Standards](#) (March, 2021) was written specifically for local authorities and “*includes standards around transparency and recording systems. It sets out clear expectations on data systems, namely that they are capable of being used for improvement and planning. ...*”
- *There is no specific requirement in the 2013 Act concerning the collection or publication of data, and therefore the issue of what social care data to collect or publish is for individual local authorities to consider as part of their statutory duties to publish information about their policies and services.”*
- With that being said, the Framework does suggest that “*authorities should take steps to ensure systems are capable of generating sufficient data to monitor and evaluate its own work to deliver the full range of options as set out in the 2013 Act.*”
- The SDS Improvement Policy Team have worked alongside other colleagues to improve the SDS related data and feedback received through the Health and



Care Experience Survey to better understand the extent to which individuals are accessing their preferred SDS option and their personal outcomes are being met.

- It is our intention to conduct a survey of local authority SDS Leads in order to understand how the updated SDS Statutory Guidance is being used locally. We expect this to happen in early 2024.
- A monitoring and evaluation plan for the current SDS Improvement Plan will be produced by the end of this year, in collaboration with the National SDS Collaboration, to provide support for monitoring and evaluation of impact activities and facilitate a continuous learning approach.