

Clare Haughey MSP
Convener
Health, Social Care and Sport Committee
Scottish Parliament

Via email: hscs.committee@parliament.scot

20 September 2024

RE: National Care Service (Scotland) Bill

Dear Convener,

Thank you for this opportunity to set out our views on the Scottish Government's draft amendments to the National Care Service (Scotland) Bill ("NCS Bill").

Social Work Scotland is the professional body for social work leaders, working closely with our partners to shape policy and practice, and improve the quality and experience of social work and social care. When a 'National Care Service' (NCS) was first proposed in 2021, we gave it a cautious welcome. Public sector reform is needed, and the development of a NCS represented an opportunity to put Scotland's social work, social care and community health systems on a road out of their current crises. An opportunity for Scotland, ahead of any other part of the United Kingdom, to get to grips with the fiscal, demographic and governance challenges which are already seriously impacting the availability and quality of services across the country. An opportunity to decisively shift power and resources down into communities, creating the conditions for more preventative, person-led, rights-enabling support.

Sadly that opportunity has receded. Circuitous political negotiations and staccato policy development have sapped stakeholders' trust and energy, and resulted in proposals for which there is little enthusiasm among stakeholders. Moreover, as the debate over the NCS has progressed Scotland's fiscal situation has deteriorated. But significant and sustained investment in social work, social care and community health is an essential pre-requisite to reform, and the necessary condition for the changes that are needed.¹ Without increased resources for existing and new

¹ Please see Social Work Scotland's accompanying analysis of the financial pressures currently facing the social work and social care systems.

preventative services the current NCS proposals will amount to little more than an expensive and disruptive restructure. A restructuring which will absorb the time of leaders when their focus is needed more than ever on supporting their workforces, safeguarding existing provision and overseeing improvement.

Furthermore, the amendments proposed by Scottish Government do not address the core deficiencies of the original Bill. Rather than pushing power and control down to supported people the current (June 2024) NCS Bill either pulls power up to Scottish Ministers or cements existing power dynamics between local authorities and the NHS. Instead of setting the fiscal foundations for a sustainable social care system over coming decades, the Bill creates more budget-sapping bureaucracy. On priority issues such as eligibility, the shift to prevention, or personalisation, the revised NCS Bill remains silent.

SUMMARY OF KEY POINTS

1. We cannot endorse this Bill as a vehicle for delivering improvements to vital public services. The reform priorities of supported people, social workers and others are largely absent from current proposals, and we are not confident that the NCS structures (as proposed in the draft amendments) will deliver the change that is needed. The very challenging fiscal environment should provide sufficient reason for a pause and rethink of the NCS, avoiding the costs of a restructure, and enabling any available funds to be directed to supporting people and communities.
2. Social Work, Social Care and Community Health require sustained investment to arrest an ongoing deterioration in services and support, and to equip them for challenges associated with demography, a changing labour market and technology. The shift to a preventative model of care, rather than responding to crisis / acute need, also requires structured spend-to-save investment. The NCS Bill is not accompanied by any such programme of investment, or even a plan for the development of one. This is despite the expansion of funding being a core recommendation of the Independent Review of Adult Social Care.²
3. We welcome the NCS Bill's right to a 'break from care', as support to unpaid carers is an important element in the shift towards prevention. But the new right depends on assessment, and no additional funding is committed (in the Financial Memorandum) to meet the increased demand for assessment. This example illustrates a more general problem with the NCS Bill; good ideas undermined by insufficient work on the policy detail and practicalities of implementation.

² Independent Review of Adult Social Care (2021) [Chapter 11: Finance](#)

4. With the issue of ‘consistency of delegation arrangements’ unresolved, progressing with the NCS Bill risks compounding the fragmentation of the social work profession. In some parts of Scotland children’s, justice and adults social work will fall within the scope of the NCS Board, but in other parts only adults will. The Public Bodies (Joint Working) (Scotland) Act 2014 created barriers and siloes within social work. Professional leadership, governance and improvement have become more difficult. The amended NCS Bill would likely exacerbate this situation, with ‘all in’ NCS areas having to organise social work very differently from the ‘part in’ NCS areas.
5. The introduction of a ‘Support and Improvement Framework’ for social work and social care now appears to be the core of the NCS project. Top-down scrutiny and quantitative performance management are not an effective way of improving local services. Instead we need a proper debate about public sector reform, which encompasses the full landscape of national bodies (including Scottish Government), the thirty-two local authorities and fourteen territorial health boards.
6. We continue to support the objective of developing firmer national structures for social work in Scotland. We also agree that social work leadership within Scottish Government needs to change, with the evolution of the Office of the Chief Social Work Advisor into an Executive Agency. But consistent with our position set out in 2022, we do not support the establishment of a National Social Work Agency within Scottish Government. To be credible and effective, new national structures need to reflect the operational reality that professional leadership (within the public sector) sits with local authority Chief Social Work Officers. This is acknowledged in current plans, agreed among relevant organisations, for a partnership model.

Thank you again for this opportunity to set out our views, and for the Committee’s work scrutinising the Bill and the proposed amendments. Alongside this letter we have submitted a response to the Committee’s specific questions, and a supplementary submission which sets out the financial context (for social work and social care) in which the NCS Bill is being progressed. We hope all the information provided is useful, and we look forward to expanding on the points above at the oral evidence session on 24 September.

Yours sincerely,

John Trainer

Convenor of Social Work Scotland and Chief Social Work Officer for Renfrewshire Council

admin@socialworkscotland.org