

## National Care Service Consultation

The Scottish Government has published its [proposals](#) for a National Care Service. The three-month consultation period ends on 18 October 2021.

The aim is for primary legislation to be in place by summer 2023 and for the National Care Service to be up and running by the end of the parliamentary term in 2026.

The National Care Service proposal is based on the recommendations of the [Independent Review of Adult Social Care](#) (the 'Feeley Review'). This was established in response to the crisis in care homes and the scale of Covid-19 related deaths amongst residents.

However the proposals go far beyond the Feeley Review. The National Care Service will be a comprehensive health and social care service for all ages, from infants to the elderly. Its remit includes not only adult residential and home care services, but:

- ALL adult AND children's social work and social care, including;
- alcohol and drug services and mental health services;
- community justice services and prison social care;
- ALL community health services including general practice (GPs).

The proposals are far reaching and complex and will affect UNISON members across several different service groups and sectors.

### Overview of main proposals

#### Responsibilities

- Ministers will be accountable for social work and social care as they are for the NHS.
- Statutory duties and responsibilities for social work and social care will be transferred to Ministers, with councils having a reduced role as service providers.
- The National Care Service will not deliver services. It will plan and commission services from councils, health boards, the third sector and independent for-profit providers, continuing a mixed economy of care.
- The management of GP contracts will transfer from the NHS to the National Care Service.
- Regulation of the workforce and of services will remain independent of the National Care Service. The Care Inspectorate's enforcement powers will be strengthened.

## Commissioning of services

- **The National Care Service will set the commissioning framework** for social work and social care support. This will include staff pay and conditions, outcomes for people using services and financial transparency on the part of care providers.
- **National level** - Complex and specialist services will be commissioned, procured and contracts & framework agreements managed nationally. This will include social care in prisons, residential care homes, the Care Home Contract, and care for people whose care needs are particularly complex and specialist. The consultation asks for views on which services would benefit from being commissioned at a national level.
- **Local commissioning of social work and social care services** - will be undertaken by a network of new Community Health and Social Care Boards. These will replace the Integrated Joint Boards (IJBs) introduced 5 years ago. Like the IJBs, the new Boards will be based on local authority areas. Local councils will still have representation on these but their role will be reduced. Unlike IJBs, Community Health and Social Care Boards will be funded by the Scottish Government and will directly employ a Chief Executive and other staff. The CEO of each Health and Social Care Board will report to the CEO of the National Care Service.
- **The National Care Service Board** will be responsible for making sure that the network of Community Health and Social Care Boards comply with the national commissioning rules and criteria.
- **A National Social Work Agency** will be created within the National Care Service with oversight over social work qualifications, workforce planning, pay & grading within a national framework, CPD & training, and research and improvement.
- **Nursing and social care:** the NHS will continue to have oversight of the safety and quality of care in care homes – a measure introduced to safeguard care home residents during the pandemic – and that role may be expanded. The ‘advisory’ role carried out by NHS nurse directors could be extended to cover care at home also. The National Care Service could also be responsible for the commissioning of nursing within social care.

## Workforce pay and conditions

The National Care Service will use commissioning and procurement as the main driver for improving workforce pay and conditions within the sector:

- A set of national workforce quality standards is proposed to help delivery of Fair Work principles.
- This could take the form of a ‘Fair Work Accreditation Scheme’ for employers.

The consultation asks whether a national forum with workforce representation should be established to take the lead in creating national sector level collective bargaining arrangements. The Feeley Review recommended this should happen.

The creation of a National Job Evaluation framework which employers can opt into is proposed as something the NCS *could* do, along with a national pay-band structure similar to that within the NHS.

Personal assistants are likely to be required to register with the Scottish Government so that it is easier to provide support.

### **Potential future NHS Review**

The Scottish Government has said that reforms to the NHS may be considered once the outcomes of the National Care Service consultation are known. This could include any necessary changes “in structure, integration and alignment for and with the NHS.”

The Scottish Parliament was previously told that the formula used to allocate funding to health boards would need to be reviewed in the run up to the creation of a National Care Service.

### **UNISON policy on Care after Covid**

UNISON will submit a comprehensive response to the consultation. However, our views on a National Care Service are already clearly set out in our publication [Care After Covid](#).

We said our aspiration over time is to deliver most social care on a publicly funded not-for-profit basis, bringing social care up to equivalent levels of equity and access as those associated with the NHS.

In moving towards this the interim steps must include:

- a timetable for the introduction of a Social Care Sectoral Bargaining arrangement that covers wage rates and terms and conditions across the sector, starting with the consolidation of the Scottish Living Wage but developing a timescale for raising pay levels to the equivalent of health and local government over an agreed period of time.
- A national workforce plan for social care, based on the principles of Fair Work and including a strategy for immediate training and professional development.
- Substantial extra investment in social care as a matter of urgency, including funding for councils to begin to rebuild in-house capacity. Social care is not a cost but an important economic sector.
- A reformed model of commissioning and procurement that ensures care is only purchased from providers who are transparent about their operations, pay their taxes, recognise trade unions, and demonstrate compliance with workforce requirements. The level of profits that can be extracted from contracts should be capped.

Our views are predicated on existing policy in favour of stronger local democracy in the delivery of public services. We have consistently argued for greater powers and resources for local government and for the insourcing of social care to be part of community wealth building strategies across Scotland.

### **For further information please contact**

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