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# National Care Service Bill: Government amendments Reform of Integrated Joint Boards



## Introduction

The Government has changed its plans for a National Care Service (see [Briefing 139](#) Jan 2024) so that statutory duties, staff and assets will remain with councils and statutory delivery functions with NHS Boards. Otherwise the Government is pursuing its original aim of centralisation.

What is now proposed is a reform of the existing Integration Joint Boards (IJBs) and the creation (in 2025/26) of a National Care Service Board (NCSB). IJBs would be accountable to the national board and re-branded as 'National Care Service local boards'. The services delivered by councils, health boards and other providers would be re-branded as 'NCS services'.

This briefing sets out the government's intentions for IJB reform based on [the government's Stage 2 amendments](#) to the NCS Bill (published 24 June).

## Context

When IJBs were established in 2016 the aim was to improve the quality and consistency of community health and social care across Scotland so that people's needs were better met. It was intended to achieve a shift, including a shift in budgets, towards preventative community based care. The perceived lack of progress in achieving these aims over the following 5 years led to the Independent Review of Adult Social Care and its recommendations for more structural change in the shape of a National Care Service (announced in 2021).

Financial austerity is a major factor in the lack of progress. Budget constraints over this time have seen a further shift downstream to focus on critical needs, access to support rationed via tighter eligibility criteria and cuts to care packages, essential community services defunded or closed. In 2022/23 IJBs required to make total savings (cuts) of £124m to balance their budgets ([Audit Scotland, 2023](#)). However this is not the same as the gap between the cost of meeting unmet need and funding available. IJBs/NCS local boards will in future be required to carry out local needs assessments.

## Summary of main IJB reforms

Centralisation is the hallmark of these changes which will mean more services being removed from direct local authority control. Responsibility for the planning, delivery and budgetary decisions of **all** social work and social care services including children's and justice social work would transfer out of local authorities to IJBs/NCS local boards. There would be much stronger direct 'upwards' accountability to the new National Care Board. The 'shared accountability' agreement between COSLA and Scottish Government is intended to balance this (see over). Some of the planned reforms including direct funding remain the subject of discussion between the Government and COSLA.

Currently IJBs oversee annual spending of **£9.2billion**. With the full transfer of social services to IJBs this is set to rise. Where there is a commissioning decision to outsource, the procurement of most social care service will remain with councils but it is proposed that commissioning & procurement of certain complex specialist services including prison social care will be undertaken nationally by the NCSB. (continued over...)

## KEY POINTS:

**What a National Care Service will look like:**

- **The existing Integration Joint Boards will be reformed and re-branded 'NCS Local Boards'.**
- **A National Care Board will be created to which IJBs/NCS Local Boards will be accountable.**
- **Centralisation is the main feature.**
- **Councils would lose responsibility over the planning, delivery & budgets for ALL children's social work and social care services and justice social work. These would transfer to IJBs/NCS Local Boards.**



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## Key IJB reform proposals

Government proposal	Current position
There will be a <b>single model of integration</b> , the IJB. The lead agency model of integration used in <b>Highland</b> (only) <b>will cease</b> and there will be a transition to the IJB model.	The 2014 Act allows 4 different models of integration. Of the 31 current Integration Authorities, 30 use the IJB model and 1 the lead agency model.
<b>Local Independent Chairs</b> are being considered for IJBs. These would be <b>appointed by and accountable to Ministers</b> .	Chairs and vice-chairs are appointed by the health board and local authority (taking turns).
Scottish Government will be able to <b>directly fund</b> IJBs for specifically agreed purposes. The parameters of this are under discussion.	IJBs receive funding from the council and the health board ('delegated funds'). There is no funding direct from the Scottish Government.
<b>A single mandatory scheme of delegation</b> is preferred which would include all adult and children's community health and social care services & Justice social work. <b>This means that responsibility for planning, delivery &amp; budgets for all services including children's social care services and justice social work would be transferred out of councils.</b>  The NCSB and NCS Local Boards will take part in existing joint planning arrangements eg Community Planning Partnerships, Children's Services Planning etc.	Councils can choose to retain control of strategic planning & budgetary decisions for children's services, e.g. to achieve closer integration with other council services like education.  Currently in 10 areas <i>neither</i> children's health or social care services are delegated to the IJB and in another 9 areas they are only partially delegated i.e. only children's health or only children's social care services ( <a href="#">See Celcis (2023) p.15</a> ).  IJBs are partners in joint planning arrangements eg Community Planning Partnerships.
<b>Voting rights on IJBs</b> will be extended. Representatives of service users (people with lived experience) will have voting rights and potentially other reps, but the details would be set out in secondary legislation.	4 elected members from the local authority and 4 non-executive directors from the health board have voting rights. All other members including the carer and service user reps are non-voting.
More involvement of people with lived experience and support for them to carry out their role on the IJB is intended, but how is under consideration. .	As a minimum IJBs must have 1 representative respectively of service users and carers. Some have additional mechanisms for participation and engagement.

### The new National Care Service Board

The NCSB will be a new Non-Departmental Public Body rather than part of government, so that it is independent of Ministers. The new quango would be responsible for the entirety of Scotland's adult and children's community health and social work & care services. It will have a CEO and employ staff.

NCSB members will be appointed by Ministers. They will include include nominees from local government, the NHS and representatives of Ministers, so providing 'shared accountability' for services. This is in line with the June 2023 [agreement](#) between Scottish Govt and COSLA. Individuals with lived experience of receiving care, being unpaid carers and the workforce would also be represented and all members would have voting rights. The exact arrangements will be set out in secondary legislation.

The NCSB will have powers of direction, support and intervention over IJBs/NCS Local Boards, and provide oversight, governance and scrutiny of their standard of performance within a framework set by the NCSB. The Board would provide new national level governance and oversight to drive greater consistency of outcomes for people who access services, drive improvement in these services and provide better support to the workforce and unpaid carers. The NCSB can remove functions from a Local Board in an emergency or if it is deemed to be failing.

It will hold IJBs/NCS local boards accountable for implementing NCS principles in practice, including being 'an exemplar of Fair Work practices', and for conducting ethical commissioning.

IJBs/NCS local boards and health boards/local authorities in their service delivery role, will be accountable to the National Care Board. Currently IJBs are accountable to their respective local authorities and health boards, as well as to Ministers to whom they are required to provide an annual performance report and act in line with guidance.

## UNISON's initial view of IJBs

When IJBs were first proposed and then established UNISON welcomed the commitment that integration would **not** 'rest on a principle of centrally directed structural change'. However UNISON also expressed concerns about the potential implications of transferring responsibility for service planning & delivery out of health boards and councils (see [UNISON Briefing 37](#)). These included:

- Loss of local democratic accountability
- Potential diminution of the role of elected councillors responsible to the electorate rather than government ministers.
- That joint budgets would be insufficient to deliver services identified as needed, especially given the impact of austerity on council budgets.
- The potential for outsourcing of services from the NHS given that many local authority care services had traditionally been delivered by the independent and private sector.

## Next steps

The Government's draft amendments to the National Care Service (Scotland) bill were published on 24 June. A policy memorandum sets out the rationale for the reforms. The Parliament's Health & Social Care Committee will scrutinise these amendments. It issued a public Call for Views which is open until 30 August. The Committee will consider the submissions and take oral evidence once Parliament returns from recess on 1 September 2024.

The Government believes that greater ministerial control, direction and powers of intervention including through funding are key to driving improvement in services, better & more consistent outcomes for service users and better support for the workforce.

UNISON's experienced IJB reps have valuable evidence to contribute to the Committee. Things UNISON reps will want to consider are:

- Thinking about the social care crisis and financial difficulties in your area, will these structural changes help?
- Will these IJB reforms improve or weaken local democratic accountability for services?
- Will they help remove the 'postcode lottery' of services across Scotland and achieve a shift towards prevention and earlier intervention?
- If not, what would help?
- Have any of UNISON's original concerns about IJBs been borne out in your own area?
- What's needed to strengthen workforce and community influence over service planning and financial decisions?

## Action for UNISON IJB reps

- **Think about these proposed changes from the perspective of your own local authority or health board and your experience of how your own IJB works.**
- **Consider the implications and feed back through UNISON's IJB Reps network survey.**

## Additional reading

The IJB reform proposals are set out here:

- [Draft Govt amendments to the National Care Service Bill](#)

Call for Views:

- [National Care Service \(Scotland\) Bill \(Stage 2\) - Your views on draft amendments - Scottish Parliament - Citizen Space](#)

An overview of how Integration Authorities & IJBs currently work (see pp5-7):

- [Audit Scotland \(2023\) IJBs Financial Analysis](#)

CELCIS research (2023) commissioned by Scottish Government:

- [Integration & outcomes for children's services](#)

UNISON's alternative:

- [Towards a REAL National Care Service](#)