

## **National Care Service (Scotland) Bill Stage 1 Briefing**

UNISON is Scotland's largest trade union with members across the public, voluntary and private sectors. We are the largest trade union in social care and social work.

We urge MSPs not to approve the General Principles of the National Care Service (Scotland) Bill.

A vote to approve this Bill would be bad not only for those who need a properly functioning care system but also a bad day for parliamentary democracy.

So radical are the changes the Government intends to make to the Bill, in almost every major respect the Bill has been withdrawn. The General Principles of these new plans have not been examined by parliament in any meaningful sense.

The Health, Social Care and Sport Committee in their Stage 1 report on the Bill note unanimously that:

“...the Scottish Government has so far been unable to articulate and communicate a model of how the proposed National Care Service would operate. We understand that the Scottish Government intends to share this information prior to the Stage 1 debate”<sup>1</sup>

Even if the Scottish Government shares this information now – less than 48 hours before the Stage 1 vote – it is far too late. This is hardly enough time for MSPs to absorb the information – far less seek views or assessments from the many stakeholders and organisations with an interest in the future of social care.

The Government has effectively bypassed the first stage of the legislation. The scrutiny undertaken by 7 parliamentary committees overwhelmingly relates to proposals which the Scottish Government says they will no longer pursue. MSPs have little detail about what will replace those proposals – and almost no detail as to how the new structures will work. External input has been minimal into what will now be a reformed version of Integrated Joint Boards rather than new stand-alone legally responsible entities.

There remains a lack of clarity on fundamental matters including the meaning of “shared legal accountability” between national and local government. A lack of clarity

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<sup>1</sup> [Health and Social Care Committee Stage 1 report para 105](#)

that prevents the Finance and Public Administration Committee from having confidence in the revised Financial Memorandum.<sup>2</sup>

It makes a mockery of the idea of legislative scrutiny for MSPs to be expected to approve such ill-defined ideas. The Scottish people have a right to expect that their parliament will operate to the highest standards and a “vote now – details later” approach to legislation does not provide that. Parliament is being asked to buy what amounts to “a pig in a poke” — and at a price that Parliament’s Finance Committee believes the government can’t specify.

Progressing the National Care Service Bill will do little to alleviate the crisis in Scotland’s social services. Many of the critical interventions needed do not depend on this legislation. The Government should be doing more to deliver:

- Improved terms and conditions including a minimum wage of £15 per hour for social care staff and proportionate increases for other care staff.
- Fair Work and Sectoral Bargaining.
- Full sick pay from day one.

MSPs have a duty to get this right for the people who depend on care and who provide care. For that to happen MSPs must be certain about the type of National Care Service the Government intends. Instead of that, Parliament, and by extension the people of Scotland, are being offered a rushed vote, cast in the dark.

The Scottish Government must take the time to build a consensus around what a real National Care Service should look like. The opportunity for that will be lost if MSPs allow this Bill to progress.

**For further information:**

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<sup>2</sup> [Letter to Minister for Social Care from Convenor, Finance & Public Administration Committee, 8 Feb 2024](#)