

**CLACKMANNANSHIRE COUNCIL**

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**Report to Clackmannanshire Council**

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**Date of Meeting: 21<sup>st</sup> October 2021**

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**Subject: Council Response to the National Care Consultation**

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**Report by: Lorraine Sanda, Strategic Director (People)**

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**1.0 Purpose**

- 1.1. The purpose of this report is to seek agreement on the approach to a Council response to the National Care Service Consultation which was launched by the Scottish Government in August 2021.

**2.0 Recommendations**

- 2.1. Council is asked to agree to the proposal in paragraph 3.7 that a response to the Consultation is submitted by the required deadline.

**3.0 Considerations**

- 3.1. On 9 August 2021, the Scottish Government launched a consultation on “A National Care Service for Scotland” to seek views ahead of the creation of a National Care Service (NCS). Introduction of new legislation to parliament will follow the formal consultation.
- 3.2. This follows on from the Independent Review of Adult Social Care (IRASC) report which was commissioned to recommend improvements to adult social care in Scotland.
- 3.3. The revised deadline for response to the Consultation is 2 November.
- 3.4. The full consultation is set out in the document at para 11.1. In summary, the proposals within the Consultation are:
- **Improvement** – the establishment of a single national body for health and social care, with clear lines of accountability to Ministers at a national level to ensure consistent, high standards of performance are developed and maintained across Scotland.

- **Access to Care and Support** – the removal of eligibility criteria in their current forum from a focus on risk to enabling people to access the care and support that they need through a set of entitlements.
- **Rights to breaks from caring** – the introduction of a right to breaks from caring as part of a single, outcomes focused approach to care and support which stretches from prevention and early intervention through to acute and specialist provision.
- **Using data to support care** - the development of a nationally consistent, integrated and accessible electronic social care and health record with appropriate permissions and consents.
- **Complaints and putting things right** – a national single point of access for information on making a complaint about social care.
- **Residential Care Charges** – increase to the sums paid for Free Personal Nursing Care for self-funded care home residents
- **National Care Service** – making Scottish Ministers accountable for social care as they are for health care within Scotland, including for workforce planning, data, commissioning and procurement, digital enablement, and national and regional service planning.
- **Scope of the National Care Service** – the Scottish Government proposal goes beyond the IRASC recommendation and indicates that children and family’s social work and social care should be located within the NCS, as well as Justice Social Work, Alcohol and Drugs Partnerships, Mental Health Services.
- **National Social Work Agency** – the proposal of a National Social Work Agency alongside a centre of excellence to support improvement.
- **Reformed Integration Joint Boards** – to become Community Health and Social Care Boards as the local delivery body for the NCS, funded directly by the Scottish Government, with consistent functions across the country.
- **Commissioning of Services** – the NCS will manage commissioning and procurement of social care services and supports, with national contracts for:
  1. care for people whose needs are complex and specialist
  2. custodial settings including prison
  3. residential care homes 102
  4. care home contracts

- **Regulation and Scrutiny** – this would be undertaken independently of the NCS.
- 3.5 A workshop was held on 21 September 2021 to allow all Elected Members to express their views on the consultation, to feed in to a Council response.
- 3.6 The main areas raised at the workshop were:
- National improvement standards could be of benefit, but there was a strong view that there was a need to allow for flexibility in how local authorities deliver services
  - Local Authorities should be able to customise services based on local needs and context
  - Clarity needed on how an approach focused on early intervention and prevention, rather than risk, would work in practice
  - Rights to breaks from caring broadly welcomed, but more focus on meaningful breaks rather than using breaks for household tasks
  - Concerns about the practicalities of a national data system eg GDPR, harmonising existing systems. Using data better and more intelligently to support a holistic approach to care would be welcome
  - Concern that the localised context could be lost in a national complaints service, with people becoming numbers rather than individuals. Potential for a big brother system
  - Concern about where funding would come from to supplement residential care charges
  - A National Care Service needs a clear local element, one size does not fit all. The Community Planning Partnership could have a role.
  - Changes at Ministerial level could cause disruption and remove consistency
- 3.7 It is proposed that the Strategic Director, People, prepares and submits the Consultation response on behalf of the Council, taking in to account the views gathered at the workshop and any further views expressed by Council on 21 October 2021. The Council response will be made public on the Council website once submitted.

#### 4 Sustainability Implications

#### 5 Resource Implications

5.1 *Financial Details*

5.2 *Staffing*

There are no implications for staffing arising from this report.

#### 6 Exempt Reports

6.1 Is this report exempt? Yes  (please detail the reasons for exemption below) No

#### 7.0 Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

(1) **Our Priorities** (Please double click on the check box )

Clackmannanshire will be attractive to businesses & people and ensure fair opportunities for all	<input type="checkbox"/>
Our families; children and young people will have the best possible start in life	X
Women and girls will be confident and aspirational, and achieve their full potential	<input type="checkbox"/>
Our communities will be resilient and empowered so that they can thrive and flourish	X

(2) **Council Policies** (Please detail)

#### 8.0 Equalities Impact

8.1 Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations?

Yes  No X

#### 9.0 Legality

9.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes X No

## 10.0 Appendices

None

## 11.0 Background Papers

11.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)

Yes  (please list the documents below) No

1. <https://www.gov.scot/publications/national-care-service-scotland-consultation/>
2. <https://www.gov.scot/groups/independent-review-of-adult-social-care/>

### Author(s)

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### Approved by

NAME	DESIGNATION	SIGNATURE
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