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<b>Report To:</b>	<b>Policy &amp; Resources Committee</b>	<b>Date:</b>	<b>9 August 2022</b>
<b>Report By:</b>	<b>Interim Director Finance &amp; Corporate Governance</b>	<b>Report No:</b>	<b>LS/61/22</b>
<b>Contact Officer:</b>	<b>Iain Strachan Head of Legal &amp; Democratic Services</b>	<b>Contact No:</b>	<b>01475 712710</b>
<b>Subject:</b>	<b>National Care Service (Scotland) Bill – Call for Views</b>		

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## **1.0 PURPOSE AND SUMMARY**

- 1.1  For Decision  For Information/Noting
- 1.2 The purpose of this report is to advise the Policy and Resources Committee of the publication of the National Care Service (Scotland) Bill and the Call for Views from the Scottish Parliament.
- 1.3 On 20th June 2022 the Scottish Government introduced the National Care Service (Scotland) Bill to the Scottish Parliament proposing the establishment of a new National Care Service. As part of the Bill's progress, the Scottish Parliament's Health, Social Care and Sport Committee has published a Call for Views on the terms of the Bill.
- 1.4 A Members' briefing has been organised to seek views on the Bill. As the Call for Views will close on Friday 2nd September, approval is sought for a special meeting of the Policy & Resources Executive Sub-Committee to be convened at the end of August for members to review and approve the Council's consultation response and its submission to the Scottish Parliament, with the draft response having first been considered by the Social Work & Social Care Scrutiny Panel.

## **2.0 RECOMMENDATIONS**

- 2.1 It is recommended that the Policy and Resources Committee notes the content of this report and approves that a special meeting of the Policy & Resources Executive Sub-Committee be convened to review and approve the submission of the Council's response to the Call for Views on the National Care Service (Scotland) Bill, with the draft response having first been considered by the Social Work & Social Care Scrutiny Panel.

**Alan Puckrin**  
**Interim Director, Finance & Corporate Governance**

### **3.0 BACKGROUND AND CONTEXT**

- 3.1 The Scottish Government recently carried out a public consultation on its proposals for a National Care Service (NCS) to achieve changes to the system of community health and social care in Scotland. The full response to the consultation can be found here [National Care Service: consultation analysis - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/consultations/national-care-service/analysis/pages/1.aspx)
- 3.2 On 20th June 2022, the Scottish Government introduced the National Care Service (Scotland) Bill to the Scottish Parliament. The Bill would establish a National Care Service in Scotland, and allow Scottish Ministers to transfer responsibility for a range of social care services from local authorities to the new service. This could include adult and children's services, as well as areas such as justice and social work. New "care boards" would be responsible for delivering care locally.
- 3.3 Other provisions include:
- giving rights to people living in adult care homes to see the people important to them (known as "Anne's law");
  - allowing information to be shared between the National Care Service and the NHS; and
  - introducing a right to breaks for carers.
- 3.4 Views are now being sought on the Bill by Scottish Parliament Committees as they begin their Stage 1 scrutiny of the Bill. The Scottish Parliament's Health, Social Care & Sport Committee will lead scrutiny of the Bill, but given its wide ranging nature, other committees will scrutinise certain provisions.
- 3.5 The Call for Views includes general questions about the Bill, questions about the Financial Memorandum and the option to provide more detailed comments on individual sections of the Bill. It is primarily aimed at groups and organisations who are looking to input their views on the Bill. Further detail on the Call for Views can be found here - [National Care Service \(Scotland\) Bill \(Detailed\) - Scottish Parliament - Citizen Space](https://www.scottish.parliament.uk/committees/health-social-care-sport/national-care-service-scotland-bill-detailed-citizen-space).
- 3.6 There is also a Your Priorities digital consultation which offers an opportunity to ask questions or to highlight specific hopes or concerns about the Bill. Respondents can also rate specific provisions in the Bill (agree, disagree, don't know) and make brief comments about them. The Your Priorities digital consultation offers an opportunity for individual members of the public to give their views about the Bill.
- 3.7 Inverclyde Integration Joint Board will be submitting a separate, standalone response to the Call for Views.
- 3.8 Both the Call for Views and the Your Priorities digital consultation will close on 2nd September 2022.

### **4.0 PROPOSALS**

- 4.1 There will be a number of opportunities for the Council to feed into the development of the National Care Service proposals and the Bill, including indirectly through COSLA and other representative bodies. As such, it might not be necessary, of the best use of Elected Member/officer time, for all aspects of future consultation to be responded to. However, it is felt that given the recent introduction of the Bill, and again considering the importance of the National Care Service proposals to the Council and Inverclyde as a whole, that this Call for Views should be responded to.

- 4.2 Members will be consulted on a draft Council response to the Bill and a Members' briefing has been arranged.
- 4.3 It is also noted, following the recent review of the Council's political decision-making arrangements, that the Social Work and Social Care Scrutiny Panel has a specific remit to consider reports on the progress of the development of proposals around the introduction of a National Care Service.
- 4.4 Given this, and the timescales for submission of the Call for Views response, it is recommended that a special meeting of the Policy & Resources Executive Sub-Committee be convened to review and approve the submission of the Council's response to the Call for Views on the National Care Service (Scotland) Bill, with the draft response having first been considered by the Social Work & Social Care Scrutiny Panel at its scheduled 18th August meeting.

## 5.0 IMPLICATIONS

- 5.1 The table below shows whether risks and implications apply if the recommendation(s) is(are) agreed:

SUBJECT	YES	NO	N/A
Financial		X	
Legal/Risk		X	
Human Resources		X	
Strategic (LOIP/Corporate Plan)		X	
Equalities & Fairer Scotland Duty			X
Children & Young People's Rights & Wellbeing			X
Environmental & Sustainability			X
Data Protection			X

## 5.2 Finance

There are no financial implications arising from this report.

One off Costs

Cost Centre	Budget Heading	Budget Years	Proposed Spend this Report	Virement From	Other Comments
N/A					

Annually Recurring Costs/ (Savings)

Cost Centre	Budget Heading	With Effect from	Annual Net Impact	Virement From (If Applicable)	Other Comments
N/A					

## 5.3 Legal/Risk

There are no legal or risk implications arising from this report. This is a factual report for noting.

#### **5.4 Human Resources**

There are no human resources implications arising from this report.

#### **5.5 Strategic**

None

#### **6.0 CONSULTATION**

6.1 None

#### **7.0 BACKGROUND PAPERS**

7.1 None