

Meeting of South Ayrshire Health and Social Care Partnership	Integration Joint Board		
Held on	20th October 2021		
Agenda Item:	Item 6		
Title:	National Care Service Consultation		
Summary:			
<p>This report seeks approval from South Ayrshire Integration Joint Board for a proposed response to the Scottish Government’s consultation on proposals for a National Care Service. The full text of the proposed South Ayrshire HSCP response is attached at Appendix 1.</p>			
Author:	John Wood, Senior Manager – Planning and Performance		
It is recommended that the Integration Joint Board:			
<ul style="list-style-type: none"> i. Notes the engagement activity undertaken within the HSCP and with a range of partners to inform the proposed response; ii. Considers the proposed response summarised in the report and attached in full at Appendix 1; iii. Agree to the draft response and instruct officers to submit this via the Scottish Government website before the 2nd November deadline; and, iv. Agree that South Ayrshire HSCP should continue to be positively engaged in policy discussions around the National Care Service and areas of improvement that can be progressed early. 			
Route to meeting:			
<p>Consultation published in August 2021; discussion paper taken to SPAG in August; IJB report agreeing principles in September 2021; further engagement with partners and voting members throughout September/October.</p>			
Directions:		Implications:	
1. No Directions Required	<input checked="" type="checkbox"/>	Financial	<input type="checkbox"/>
2. Directions to NHS Ayrshire & Arran	<input type="checkbox"/>	HR	<input type="checkbox"/>
3. Directions to South Ayrshire Council	<input type="checkbox"/>	Legal	<input type="checkbox"/>
4. Directions to both SAC & NHS	<input type="checkbox"/>	Equalities	<input type="checkbox"/>
		Sustainability	<input type="checkbox"/>
		Policy	<input checked="" type="checkbox"/>
		ICT	<input type="checkbox"/>

National Care Service Consultation 20th October 2021

1. PURPOSE OF REPORT

1.1. This report seeks approval from South Ayrshire Integration Joint Board for a proposed response to the Scottish Government's consultation on proposals for a [National Care Service](#). The full text of the proposed South Ayrshire HSCP response is attached at Appendix 1.

2. RECOMMENDATION

2.1 It is recommended that the IJB:

- i. **Notes the engagement activity undertaken within the HSCP and with a range of partners to inform the proposed response;**
- ii. **Consider the proposed response summarised in the report and attached in full at Appendix 1;**
- iii. **Agree to the draft response and instruct officers to submit this via the Scottish Government website before the 2nd November deadline; and,**
- iv. **Agree that South Ayrshire HSCP should continue to be positively engaged in policy discussions around the National Care Service and areas of improvement that can be progressed early.**

3. BACKGROUND INFORMATION

3.1 The Scottish Government's consultation document, outlining proposed implementation of the [Feeley Review](#) and creation of the National Care Service was [published](#) on 9th August 2021. The proposals detail the scope and role of a National Care Service including other significant policy developments (e.g. revisiting of charging for personal care and residential rates, implementation of Fair Work across Social Care).

3.2 The consultation published on 9th August sets out proposals for one of the most significant programmes of public service reform seen for some time in Scotland, and arguably the biggest change to social care and social work services since the 1968 Social Work Act. Significantly, the consultation proposes:

- The centralisation of social care services under the direction of the National Care Service;
- A shift in accountability for social work and social care from local government / Integration Joint Boards, directly to Scottish Ministers;
- Local planning, commissioning and accountability to take place through reformed IJBs name Community Health and Social Care Boards (CHSCBs);
- The inclusion of all other social care services **including children's services and justice services;**

- Reform of funding for residential nursing care and more comprehensive support for carers including an entitlement to breaks;
- Reforms to some of the national organisations currently involved in the scrutiny, oversight and improvement work within social care; and
- Improvements in practice e.g. around ethical commissioning, Fair Work, driving improvement.

4. REPORT

4.1 At the 22nd September 2021 meeting of the IJB the Board agreed a set of key principles on which the HSCP response (to be signed off by the IJB) would be based. These included a commitment that the response would avoid 'political' discussion relating to the proposals, recognising that they will be subject to proper parliamentary scrutiny. The IJB also agreed that the HSCP should engage positively with this consultation and to offer, where possible and appropriate, to be involved in any early work to implement the aspirations that do not require legislation to proceed with.

4.2 In developing a full response, engagement has taken place with IJB members, the SPAG, our Locality Planning Groups, an extensive list of partner organisations and across all staff groups. A large online engagement event was held on 5th October with the Scottish Government in attendance to consider the South Ayrshire implications of these reforms and to encourage others in the area to engage with the consultation.

Response

4.3 The full proposed text of the South Ayrshire IJB response is attached at Appendix 1 which includes the key points below:

1. **There are significant positives to be preserved and drawn from the integration of health and social care in Scotland in its current form.** These include improvements made within South Ayrshire HSCP, our multi-agency working at a local level and locality-based approach to service planning, delivery and governance. Staff groups across the NHS and South Ayrshire Council work well together within the current setup and we hope any future structural changes can further support rather than undermine integration.

We also have full confidence in care and clinical governance arrangements in South Ayrshire (and NHSAA), including lines of accountability, and would seek to ensure this is not disrupted.

2. **The timing of this consultation and proposed implementation is of concern, given the current pressure on the health and care system.** This should be considered by the Scottish Government and others when analysing the response. Many voices that should be central to this conversation (including all staff, provider organisations, carers and people in receipt of services) are currently working hard to keep health and social care services

operating effectively ahead of a difficult winter and do not have the time to engage with the consultation as fully as they might.

3. **South Ayrshire HSCP is close to its community (and works closely with the Council and Community Planning Partnership in this regard) and values its Locality Planning Groups.** These constructs and the general principle of localism should not be lost or overlooked in the development of a 'national' service.
 4. **Legislation and national intervention are not required to implement some of the basic elements of system improvement described in the paper.** In many of these areas, good work is being progressed locally and nationally and it is important that the national consultation supports and does not delay or interfere with these examples of good practice. For example, we are already working to deliver ethical and collaborative commissioning approaches.
 5. **We do not agree that children's and justice services should be included in the National Care Service as currently proposed.** The integration of children's and justice services locally within South Ayrshire is something that works well and we are committed to, however the close links with local authority services and locality structures (e.g. the Community Planning Partnership and Children's Service Planning Group) are vital to success here too. Conversely, we are mindful that separating children's from adult social work would not be desirable either; on this basis we would encourage further analysis and engagement on this question by Scottish Government. We are concerned that time, money and energy will be spent on this structural reform before the benefits for children and families have been fully evidenced.
 6. **Clarity should be offered as soon as practicable over which staff are in scope for 'transfer' to the National Care Service.** We share the concerns of our Trade Union partners in this regard. There are various benefits of the current model e.g. good collaboration between staff across council departments (e.g. housing, community learning and development, education) and the HSCP which should be preserved. Further detail is offered in response to the relevant questions below.
- 4.4 IJB members are invited to consider and agree these messages and the full response attached at Appendix 1. Officers did not feel it was appropriate to answer each question individually, recognising that some of the questions are not targeted at HSCPs while other questions cannot be answered in full without further development of the policy detail. However, some questions have been answered in with multiple-choice selections made in response to a small number of questions following discussion with voting members. These responses reflect and simply elaborate on the key messages.
- 4.5 Staff, management and partner organisations are also able to feed into this consultation via other routes (e.g. through professional networks or as individuals).
- 4.6 The IJB should note that further wording will be included in the final response from the Alcohol and Drug Partnership (reflecting the potential impact on ADPs) and in

relation to clinical and care governance following discussions with NHS colleagues that the benefits of our current arrangements should be expressed in our response. Following agreement by the IJB and the minor additions above, a final submission will be made to ahead of the Scottish Government's 2nd November deadline.

5. STRATEGIC CONTEXT

5.1 Consideration of this report and engaging fully in the National Care Service consultation ensures the HSCP are contributing to the Strategic Objectives of the IJB Strategic Plan, particularly:

- We are an ambitious and effective Partnership.
- We are transparent and listen to you.

6. IMPLICATIONS

6.1 Financial Implications

6.1.1 There are no financial implications to agreeing this report.

6.2 Human Resource Implications

6.2.1 There are no HR implications to agreeing this report.

6.3 Legal Implications

6.3.1 There are no legal implications to agreeing this report.

6.4 Equalities implications

6.4.1 A full equality impact assessment will be undertaken on the strategy.

6.5 Sustainability implications

6.5.1 There are no sustainability implications to agreeing this report.

6.6 Clinical/professional assessment

6.6.1 The views of professional groups will be taken into close consideration as the strategy is developed.

7. CONSULTATION AND PARTNERSHIP WORKING

7.1 Engagement activity is outlined above.

8. RISK ASSESSMENT

8.1 There is no risk associated with agreeing this report.

REPORT AUTHOR AND PERSON TO CONTACT

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BACKGROUND PAPERS

October 2021