

Title of report	Response to consultation on a National Care Service
Public/Confidential	Public
Summary/purpose of report	The purpose of this paper is to share our draft response to the Scottish Government's consultation on a National Care Service for Scotland. The Council is asked to approve the draft response or provide feedback and agree a process for finalising it before the closing date of 2 November 2021.
Recommendations	The Council is asked to approve the response.
Author	Nicola Gilray, Head of Strategic Communications
Responsible Officer	Lorraine Gray, Chief Executive
Link to Strategic Plan	<p>The information in this report links to the following.</p> <p>Outcome 1: People who use services are protected by ensuring the regulated workforce is fit to practise.</p> <p>Outcome 2: The SSSC supports and enhances the development of the registered workforce to deliver high standards of practice and drive improvement.</p> <p>Outcome 3: Our workforce planning activities support employers, commissioners and policy makers to deliver a sustainable, integrated and innovative workforce.</p> <p>Outcome 4: The social work, social care and early years workforce is recognised as professional and regulated and valued for the difference it makes to people's lives.</p>
Link to Risk Register	<p>Risk 1: We fail to ensure that our system of regulation meets the needs of people who use services and workers.</p> <p>Risk 2: We fail to ensure that our workforce development function supports the workforce and</p>

	<p>employers to achieve the rights standards and qualifications to gain and maintain registration.</p> <p>Risk 5: We fail to provide value to stakeholders and demonstrate our impact.</p>
Impact assessments	<ol style="list-style-type: none"> 1. An Equalities Impact Assessment was not required. 2. A Data Protection Impact Assessment was not required. 3. A Sustainability Impact Assessment was not required.
Documents attached	Appendix 1: SSSC's draft response to the consultation on a National Care Service for Scotland
Background papers	None

EXECUTIVE SUMMARY

1. On 9 August 2021, the Scottish Government published **A National Care Service for Scotland: Consultation** (available on the Scottish Government website). This consultation outlines how the Scottish Government intends to implement the recommendations in the **Independent Review of Adult Social Care in Scotland** (the Review) which was about improving adult social care in Scotland (also available on the Scottish Government website). The Review recommended the creation of a National Care Service for Scotland which would operate like the NHS.
2. The consultation closes on 2 November 2021 and our response to the consultation is attached to this report as Appendix 1. There are 96 questions and we are responding to all those that are relevant.
3. An independent research company engaged by the Scottish Government will analyse the consultation responses and the report is due to be published in mid to late December 2021.

OUR RESPONSE

4. The Scottish Government plans to establish a National Care Service which would make Scottish Ministers accountable for social care in the same way they are for health care. The National Care Service will be based on the principle of 'Getting it Right for Everyone' and will work in partnership with (but independently of) the NHS in Scotland. The consultation proposes that regulation should remain independent of the National Care Service. What this means for the SSSC will become clear over time.
5. The consultation looks beyond the establishment of a National Care Service and considers how Scotland can create a comprehensive community health and social care service that supports people of all ages. We focused our response on four key areas of the consultation:
 - extending regulation to other workers
 - increased enforcement power
 - information gathering powers
 - creation of a new National Social Work Agency.
6. Our response sets out in detail our position on regulating additional groups of workers, identifying groups that we would like to add to those outlined in the consultation eg people working in adult day care services. We also set out our position on the creation of a National Social Work Agency and our views on the standards for education and training for social workers and social care staff across the sector.

CONSULTATION

7. In formulating our response, we engaged with a number of key stakeholders including the Care Inspectorate and our equivalent regulators across the UK. Some also intend to respond separately.
8. We engaged with staff on the consultation through an all staff briefing outlining the main points of the consultation and its purpose and we held a staff meeting led by the EMT where staff asked questions and contributed their ideas and thoughts for the response. Individual directorates also held sessions on the consultation.
9. We have helped the Scottish Government to reach all those on our register, employers and other stakeholders through our twice monthly SSSC News emails, encouraging them to respond.

RISKS

10. There is a risk that some of the proposals set out in the consultation could have a significant impact for the SSSC including changes to our functions and operations.
11. Strategic risks
 - Risk 1: We fail to ensure that our system of regulation meets the needs of people who use services and workers.
 - Risk 2: We fail to ensure that our workforce development function supports the workforce and employers to achieve the rights standards and qualifications to gain and maintain registration.
 - Risk 5: We fail to provide value to stakeholders and demonstrate our impact.
12. Key risk appetite statement areas:
 - operational and policy delivery
 - people and culture
 - reputation and credibility.
13. In mitigation, our response welcomes the positive change for the sector and the new opportunities the proposals set out in relation to our role and balances this with the regulatory role and the remit of the SSSC which extends beyond adult social care and social work services and includes the children and early years workforces.

IMPLICATIONS

14. The proposals set out in the consultation could have significant implications for the SSSC which will become clearer following the outcome of the consultation and the Scottish Government's response.
15. The Scottish Government expects the legislation required to be ready in 2022.

IMPACT ASSESSMENTS

Equalities

16. Not required.

Data protection

17. Not required.

Sustainability

18. Not required.

CONCLUSION

19. The Council is asked to approve the response to the consultation which we will then submit by the 2 November deadline. We will publish our response on the consultation section of our website www.sssc.uk.com