



## **NATIONAL CARE SERVICE UPDATE**

Joint Report by the Chief Executive and Chief Officer Partnership Service and  
Community Care

### **PURPOSE**

- 1.1 The purpose of the Report is to provide an update to the Comhairle on the status of the National Care Service (NCS) Bill and associated developments.

### **EXECUTIVE SUMMARY**

- 2.1 On 14 November 2024, the Minister for Social Care, Wellbeing and Sport announced a pause of the Stage 2 process of the National Care Service Bill to allow reflection of the views shared. Stage 2 had been due to commence on 26 November. The communication reflecting this decision is detailed in Appendix 1. This decision followed withdrawal of support for the Bill in its current form by the Scottish Green Party at the end of October.
- 2.2 Prior to this announcement, key stakeholders had withdrawn engagement on the NCS Bill. The Convention of Scottish Local Authorities (COSLA) withdrew shared accountability for the Bill based on its assessment of a lack of progress in addressing the concerns and risks identified by Local Government. A summary of the COSLA position is provided at Appendix 2. This coincided with the withdrawal of support by the GMB trade union. The Scottish Trades Union Congress (STUC) followed with a similar stance in October. Another trade union, Unite, had taken the decision to withdraw in the previous year, through suspending their representation and contribution to the co-designing of the NCS.
- 2.3 Following the COSLA withdrawal Scottish Government's responded by stating that there remained an opportunity to continue to engage and the possibility that this could be done through individual Councils. A subsequent discussion involving COSLA and Scottish Government officials did not result in any change to the position across the areas of concern previously identified by COSLA Leaders. The outcome of the pausing of the Bill is a significant development, and further updates from COSLA and associated networks will be provided at Board and Committee.
- 2.4 In the interim COSLA has facilitated a national round table event. This meeting, the first in a series, enabled senior leaders across Local Government to collaborate and progress a longer-term strategic vision for reform and improvement in social work and social care. This commitment for productive dialogue is founded within the context of reform to be sustainable action that recognises the complexities to be addressed in the short, medium and longer term. The subsequent articulation of the progress will be shared with COSLA Leaders.

### **RECOMMENDATIONS**

- 3.1 **It is recommended that the Board and Committee note the Report.**

Contact Officer: Emma Macsween, Chief Officer, Community Care and Partnership Services  
Appendix 1: Letter from Minister for Social Care, Wellbeing and Sport on Stage 2 NCS

## IMPLICATIONS

4.1 The following implications are applicable in terms of the Report.

<b>Resource Implications</b>	<b>Implications/None</b>
Financial	None, noting the projected figure by Scottish Government to make the NCS a reality as of June 2024 was £345m over a ten-year period.
Legal	None, noting the far-reaching consequences for local government should the NCS Bill progress as outlined and these concerns have underpinned the COSLA position. The implication of pausing of Stage 2 of the Bill will be considered in detail by stakeholders and dialogue with Scottish Government in due course.
Staffing	None, noting that although amendments to the Bill have evolved to exclude staff transfer this iterative process requires to be monitored given the status of social care and social work staffing and workforce challenges locally and nationally. The decision on scope of the Bill as was to include Children’s Services and Justice Service remains undetermined.
Assets and Property	None.
<b>Strategic Implications</b>	<b>Implications/None</b>
Risk	The NCS is monitored within the corporate and operational risk registers.
Equalities/Child Rights	None.
Corporate Strategy	The Comhairle’s policy position in support of a single authority model of service accountability and delivery for the Western Isles was not consistent with some provisions of the National Care Service Bill. There is now an opportunity to discuss incorporation of those elements of the Bill which support Comhairle policy and which could form part of a single authority model.
Environmental Impact	None.
Consultation	Consultation on the NCS has been extensive. The COSLA position reflects the opinion shared and supported by the Comhairle.