

COSLA Briefing: National Care Service (Scotland) Bill



Scotland's council leaders withdrew support for National Care Service (NCS) shared accountability in September 2024. Key concerns with the NCS Bill include:

The NCS Bill does not address the sustained pressures faced by social care, social work and health services

Services face sustained financial and workforce pressures. In July 2024, the [Accounts Commission reported](#) that funding for Integration Authorities had decreased by £65 million (1% in real terms when excluding COVID-19 funding), with the funding gap set to triple in 2023. The Bill risks introducing additional governance costs, rather than investment in services for people.

The draft NCS Bill risks the removal of key local decision-making and local accountability, whilst introducing new complexities

Local Government had hoped that a National Care Service, delivered on a shared accountability basis, could have created a strong enabling environment for local services, backed by enhanced national leadership, standards and support. Instead, the NCS model outlined in draft legislation risks a restrictive, centralised model, which removes key local decision-making, prioritises increased national monitoring and reporting, without a clear path of translating local learning into improvement.

There is no strong evidence basis for expanding the scope of the National Care Service Board to include children's services, justice social work services and homelessness services

There remains insufficient evidence to support the Scottish Government's intention to expand the scope of the NCS. Such structural change presents the risk of distracting from improvements currently underway in these areas, including focus on Keeping the Promise and the Justice Social Work Improvement and Action Plan. The [Children and Young People's Commissioner has noted their inability to support the NCS proposals](#), citing that the inclusion of children's services into the NCS has not been properly considered from the perspective of children's rights.

Increasing concern to the NCS Bill from key partners

Workforce trade unions are currently opposed to the NCS Bill, whilst [Social Work Scotland](#) has noted that the NCS Bill will not act as a vehicle for delivering improvements to vital public services, which require sustained investment alongside reform to overcome current and future challenges, with the governance outlined in draft amendments risking even greater complexity.

Background:

- The National Care Service (Scotland) Bill was introduced in June 2022. Following concerns from Local Government, trade unions, wider partners and several parliamentary committees, Scottish Government committed to reconsidering how to deliver a National Care Service.
- In June 2023, COSLA Leaders and Scottish Ministers reached [initial agreement](#) around “shared accountability” for the NCS, which would see councils retain core responsibilities, whilst a new NCS national board would be created to provide enhanced strategic leadership and oversight.
- Scottish Government published a [revised draft NCS Bill](#) in June 2024. Despite the shared accountability partnership and policy engagement, Local Government was not provided with an opportunity to meaningfully contribute to the development of revised draft legislation.
- From February 2024, Council Leaders privately expressed concerns at the Scottish Government’s intended approach across several areas and sought changes to reach consensus between spheres of Government. Following publication of the revised draft Bill by the Scottish Government, COSLA Leaders agreed a [response](#) to the subsequent parliamentary consultation, which noted Local Government’s concern with the model introduced.
- COSLA Leaders took the decision to withdraw support for the NCS Bill in September 2024, following no forthcoming change of approach from Scottish Government and considering the need to prioritise sustainable action to overcome pressures faced by services.
- **Whilst withdrawing support for the NCS shared accountability, Council Leaders reaffirmed Local Government’s commitment to continue valuable improvement discussions, including to realise a National Social Work Agency, an integrated health and care record, a funded rights to breaks for unpaid cares, enhanced care home visitation rights and a greater voice for people with lived and living experience.**

31st October 2024

About COSLA

We are a councillor-led, cross-party organisation, representing all 32 local authorities in Scotland. We work on behalf of councils, focusing on their priorities, challenges & opportunities.

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