

## **Scotland Excel**

**To: Joint Committee**

**On: 18 June 2021**

**Report by:  
Chief Executive of Scotland Excel**

### **Care Update**

#### **1. Introduction**

The purpose of this report is to provide members with an update in relation to the work of the social care team.

#### **2. Children's Services**

##### **The Promise**

In March 2021, The Promise Scotland published the first of three plans for enabling the implementation of the recommendations from the Care Review entitled Plan 21-24. This document sets out the expectations in relation to the priorities for change in the period and will be further supplemented by The Change Programme scheduled for publication at the end of June.

The priorities set out in The Promise call for significant change in relation to a number of areas relevant for existing national contracts. The social care team will work with colleagues from The Promise and other key stakeholders to determine how these priorities should be reflected in national contracts going forward and whether Scotland Excel should be considering introducing new national contracts or provide other forms of support in new areas.

##### **Children's Residential Care and Education including Short Breaks**

The existing framework for children's residential care and education services is scheduled to expire next year with development work in relation to the new generation framework in the early stages.

A key element of the re-development work will be to collaborate with stakeholders to agree how best to incorporate the priorities of The Promise in the new arrangement. Recommendations related to residential care include provisions in relation to recruitment and training of care staff as well as provisions relating to relationships between care staff and family contact.

## **Competition & Markets Authority Study**

The Competition & Markets Authority (CMA) launched a study into the market for children's social care services in March this year. The aim of this study is to determine "why a lack of availability and increasing costs could be leading to the needs of children in care not being met".

Scotland Excel has been engaging with the CMA, both directly and collectively with Scottish Government, to support this review work which is scheduled to report by March 2022.

### **3. Adult Social Care**

#### **Independent Review of Adult Social Care**

The Independent Review of Adult Social Care, chaired by Derek Feeley, was published in February. The review recommendations followed similar themes to The Promise in respect of procurement and commissioning but also included much broader recommendations in relation to the creation of a National Care Service (NCS), with potentially significant structural implications.

The timing of the publication in relation to the elections meant that while the Cabinet Secretary confirmed some early priority areas, detailed consultation on the main review recommendations has not yet taken place with a wide stakeholder group.

In March COSLA and Scottish Government published a joint statement of intent in respect of the review recommendations which set out agreed areas for immediate work including fair work, ethical commissioning, ending of non-residential charging, eligibility criteria and ensuring the views of unpaid carers, and those with lived experience of care & support services, are heard and reflected in service design.

Scotland Excel is working with Scottish Government, COSLA and others to input into the detailed work underway in relation to fair work practices in social care and the development of ethical commissioning principles.

As part of the Fair Work in Social Care Implementation Group working groups, Scotland Excel is an active participant in dialogue to consider the introduction of standard terms and conditions for social care staff as well as future implementation of the living wage and maintaining differentials between different roles. For the current and previous financial year this was achieved by adoption of a standard national uplift for services. This is one of several options being considered by the group for future years.

#### **National Care Home Contract**

The 2021/22 rate for the national care home contract was agreed in taking effect from April 12<sup>th</sup>. The settlement this year included a commitment to revisit the rate once the pay increases for nurses had been agreed. It also included a commitment to revisit the rate should additional funding be made available to support any agreed changes in relation to fair work for social care staff or any other policy change related to the Independent Review of Adult Social Care which is agreed and funded.

Given the increasingly complex landscape within the provision of residential care for older people, Scotland Excel is in the process of recruiting a new manager to lead in this area. The postholder will lead the review of both the contract and the cost of care model in relation to the recommendations from the Independent Review of Adult Social Care. This will also include lessons learned from the pandemic as well as other areas, including those related to care home buildings and configuration.

Included in the review recommendations is a requirement to move to a more managed care home market with a greater degree of oversight for the Care Inspectorate. A key part of the review work in this area will be to work with partners to agree the various roles and responsibilities of different organisations to ensure the oversight and management recommendations are supported.

### **3. £500 Project**

In November 2020 the Cabinet Secretary announced that social care workers would receive a one off, pro-rata payment of £500 as thanks for their contribution during the pandemic. The work to disperse funds to those eligible was effectively split into three parts:

- Payments to staff working for eligible private and voluntary providers registered with the Care Inspectorate;
- Payments to local government staff; and
- Payments to personal assistants.

Scotland Excel was commissioned by Scottish Government to undertake the submission and validation process for providers to apply on behalf of their staff. Providers were able to apply on behalf of their staff with over 1,000 submissions validated and financial schedules for payment submitted to Scottish Government in March.

Scotland Excel continues to support Scottish Government in relation to this phase. Ongoing and future activity includes payment adjustments for a small number of providers, a reopening of the application process for providers which did not previously apply and a process for eligible individuals whose employer has ceased trading.

Scotland Excel is also working with Scottish Government, COSLA and other partners to develop a process for payments to be made to personal assistants. It is anticipated that a portal, similar to that used in the first phase, will be launched in the coming weeks enabling personal assistants to apply for their payment. Eligible personal assistants are estimated to number 10.5k.

### **4. Recommendation**

Members are invited to note and support the contract updates provided.