
To: Renfrewshire Integration Joint Board

On: 26 March 2021

Report by: Interim Chief Officer

Heading: Update on Independent Review of Adult Social Care

Direction Required to Health Board, Council or Both	Direction to:	
	1. No Direction Required	X
	2. NHS Greater Glasgow & Clyde	
	3. Renfrewshire Council	
	4. NHS Greater Glasgow & Clyde and Renfrewshire Council	

1. Summary

- 1.1. This report provides an update to the Integration Joint Board on the publication of the report and recommendations from the independent review of adult social care in Scotland, which commenced in September 2020 and was chaired by Derek Feeley. The report was published on 3 February 2021.
- 1.2. The report provides a summary of the key recommendations which have emerged, highlighting those which could have an impact on the IJB in future should they be taken forward.
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2. Recommendations

It is recommended that the IJB:

1. Note the recommendations arising from the independent review, and those areas of possible impact upon the IJB; and
 2. Note that further updates on the progress of the review recommendations will be brought to the IJB as further detail is confirmed.
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3. Background

- 3.1. In September 2020 the Scottish Government announced that it intended to commission an independent review of adult social care in Scotland. The review was identified as a key element of the 2020 Programme for Government, with key findings to be published in early 2021.
- 3.2. The Review was chaired by Derek Feeley, a former Scottish Government Director General for Health and Social Care and Chief Executive of NHS Scotland, supported by a small advisory panel of Scottish and international experts.

- 3.3. The review follows significant legislative and structural progress in the provision of health and social care in the last decade, including but not limited to the Self-directed Support (Scotland) Act 2013, the Public Bodies (Joint Working) (Scotland) Act in 2014, and the Carers (Scotland) Act 2016. The principal aim of the review was to understand the progress made through these provisions, the subsequent impact of COVID-19, and to recommend improvements to adult social care in Scotland.
- 3.4. Following a process of engagement and consultation, the final report from the independent review was published on 3 February 2021. A fundamental proposition within the report is that the country needs to recognise and value the critical role that social care plays within society. The report identifies social care support as being an investment in citizens and the economy itself, and that there needs to be a greater shift to a model of care which is more consistent and fairer, which enables and promotes the rights and capabilities of individuals, and that there is an inherent right to services rather than assessment in line with eligibility criteria. A strong, skilled and valued workforce are recognised as being key to achieving these ambitions.
- 3.5. The recommendations within the report have significant implications for the provision of adult social care across Scotland and for the role of Integration Joint Boards going forward, with fundamental changes proposed to achieve the new vision for adult social care. This report provides a summary of the key recommendations of relevance to Renfrewshire IJB. The paper further identifies areas where further development and information will be required to provide clarity on future policy intentions.

4. Key recommendations from the report

The creation of a National Care Service

- 4.1. The review proposes the creation of a National Care Service (NCS) with its own board. Under this model, accountability for adult social care would move from local authorities to Scottish Ministers, with a Minister appointed with specific responsibility for adult social care. The report envisages that local authorities would remain as important providers of social work and social care services and would continue as partners in Integration Joint Boards.
- 4.2. The National Care Service would set national standards and oversee local commissioning and procurement of social care and support by reformed Integration Joint Boards (set out further below). The NCS would lead on those aspects of social care improvement and support that are best managed 'Once for Scotland', such as setting national social care terms and conditions, workforce planning and development, data and research, infrastructure such as IT, and improvement programmes. It is also proposed that the National Care Service would oversee social care provision at a national level for people whose needs are highly complex or highly specialist.
- 4.3. Existing inspection and registration bodies, the Care Inspectorate and SSSC, are proposed to become national care bodies under the NCS.

- 4.4. At a national level, the report highlights the importance of effective joint working with NHS Scotland. In the future model this could be enabled by the creation of a similar board of governance for NHS Scotland and the creation of a National Integration Joint Board where the senior leadership of the NCS and NHS meet to agree strategy and priorities.

Reforming the role of Integration Joint Boards

- 4.5. The independent report sets out several recommendations for reforming, and strengthening, the role of Integration Joint Boards. IJBs would become 'local delivery agencies' of the new National Care Service. The report also notes that Ministers can change the number and configuration of IJBs without changing primary legislation.
- 4.6. IJBs would be reconfigured to employ staff, hold assets and contracts, including the GMS contract and employment of directly employed independent contractors in health. The post of Chief Officer would be retained and updated under this approach to report to IJBs and would not be jointly accountable to the Chief Executives of Local Authorities or Health Boards as is currently the case. The recommendations also propose that IJBs would also employ staff responsible for the planning, commissioning and procurement of care and support along with other key staff such as the Chief Finance Officer.
- 4.7. In this future model, Integration Joint Boards would be directly funded by Scottish Government, and local authorities would no longer be involved in decision making in relation to the allocation of funding to adult social care. The National Care Service would be responsible for distribution of resources based on a new funding methodology.
- 4.8. As referenced above, Integration Joint Boards would assume direct responsibility for the planning, commissioning and procurement of care and support, in line with the direct funding model. Any such commissioning and procurement should be undertaken collaboratively and focused on co-production rather than competition.
- 4.9. Several changes to the membership of Integration Joint Boards are proposed. The existing membership of the IJB and the IJB's Strategic Planning Group would be combined to create the membership of the reformed IJB. In addition, every member of the IJB should have a vote.

Self-directed Support and the role of Unpaid Carers

- 4.10. The independent review recognises that several 'foundations' are in place for the future of adult social care, including Self-directed Support legislation and the Carers Act. In doing so, it focuses on the importance of adopting a human rights-based approach enabling independent living which improves outcomes for individuals. Individuals should also be central to decisions made around their needs and the most effective support for them. This recognises the need to further embed and develop Self-directed Support practice across Scotland.

- 4.11. The Review also highlights the need for Carers to be further supported in accessing information on their rights as carers, including their right to support and access to respite, and recommends that carers should be assisted into employment or study, mitigating barriers to accessing these areas. It also notes that Carers must be represented as full partners on Integration Joint Boards, and on the Board of a National Care Service.
- 4.12. More broadly, the report recommends that the current eligibility criteria and charging regime should be reformed and removed. This would include the removal of charging for non-residential social care support such as care at home and day support. Free Personal and Nursing Care funding for self-funders in care homes would also be increased.

5. Areas requiring further information

- 5.1. The independent review sets out initial proposals on the overall direction of adult social care in Scotland. There are, consequently, a range of areas where further development and detail is required to enable a full understanding of the impact of recommendations taken forward. The report was the subject of a parliamentary debate on 16 February 2021 and will feature within party manifestos for the parliamentary elections in May 2021. Areas where further information will be required include:
- 5.1.1. A more detailed view of those staff who would be expected to be employed by Integration Joint Boards.
 - 5.1.2. Whether powers to vary the number of Integration Joint Boards will be utilised in future as recommendations are further developed and implemented.
 - 5.1.3. The formal role of any National Integration Joint Board within reformed governance structures.
 - 5.1.4. The anticipated relationship between IJBs and Local Authorities to reflect the proposals for statutory responsibility to sit with Scottish Ministers rather than Local Authorities. This relationship would also be influenced by further clarity on those staff to be employed by IJBs; and proposals for IJBs to assume responsibility for commissioning and procurement alongside direct funding through the National Care Service.
 - 5.1.5. How reformed IJBs would operate with an enlarged membership consisting of IJB and Strategic Planning Group members. Further detail will be required on how IJB members would be selected within these circumstances.
 - 5.1.6. The anticipated role of Health and Social Care Partnerships, where the report focuses on Integration Joint Boards and provides limited mention of HSCPs.
 - 5.1.7. Broader impacts of the recommendations on the NHS and any reform required.
 - 5.1.8. The potential impact of the proposed governance changes on the provision of criminal justice and children's social work services,

noting that these are not delegated to the Integration Joint Board in Renfrewshire.

- 5.1.9. The anticipated role of the Chief Social Work Officer going forward.
- 5.1.10. How statutory functions relating to mental health and adult protection would be managed going forward in light of the system wide changes proposed.

6. Next Steps

- 6.1. The Cabinet Minister for Health and Sport confirmed during the parliamentary debate on 16 February 2021 that the Scottish Government accepted the findings of the independent review, and that the Scottish Government was working to make early progress on some of the recommendations. This included the creation of a £20 million Community Living Change Fund to assist in the redesign of support for people with complex needs including intellectual disabilities and autism and for people who have enduring mental health problems, in support of the recommendations of the Coming Home report in 2018.
- 6.2. The Cabinet Minister also noted that concerns have been raised by CoSLA with regards recommendations associated with the implementation of a National Care Service and that supporting discussions would continue.
- 6.3. Further updates will be brought to future meetings of the IJB as further detail is provided on the recommendations made by the review, and proposed plans and timelines are set out following the parliamentary elections in May 2021.

Implications of the Report

- 1. **Financial** – No implications from this report.
- 2. **HR & Organisational Development** – No implications from this report.
- 3. **Community Planning** – No implications from this report.
- 4. **Legal** – A number of the recommendations set out by the review may require legislative change. Further updates will be provided to the IJB.
- 5. **Property/Assets** – No implications from this report.
- 6. **Information Technology** – No implications from this report.
- 7. **Equality and Human Rights** – No implications from this report.
- 8. **Health & Safety** – No implications from this report.
- 9. **Procurement** – No implications from this report.
- 10. **Risk** – Significant change requirements which may emerge from this review would require focused resource to deliver. There is a risk that this could divert staff from service provision towards their implementation.
- 11. **Privacy Impact** – No implications from this report.

List of Background Papers – None

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