

20th September 2024

Clare Haughey MSP
Convener
Health, Social Care and Sport Committee
hscs.committee@parliament.scot

Dear Ms Haughey

Re: National Care Service (Scotland) Bill (Stage 2) call for evidence

We write in response to the Health, Social Care and Sport Committee's call for evidence on amendments ahead of Stage 2 of the National Care Service (Scotland) Bill.

Although the current draft amendments shared by the Scottish Government do not specifically relate to children's services, we note that in the Minister for Social Care, Mental Wellbeing and Sport's letter to the Committee dated 24th June 2024, she indicates that her preference continues to be including children's services, including children's community health services, in the scope of the NCS in all parts of Scotland.

We have submitted a formal response to the Committee's call for evidence on this issue in addition to sharing this letter, which provides the viewpoint from both the perspectives of the Independent Strategic Advisor for the promise, who chaired the [Independent Care Review](#), and The Promise Scotland, which has a work programme entirely dedicated to #KeepThePromise.

We noted that [the promise](#) was given prominence in recent government papers to the Expert Legislative Advisory Group, intended to inform the development of the National Care Service Bill as it relates to children's services.

At that time, we wrote to the Minister in response to the Scottish Government's call for views relating to the potential inclusion of children's services in the National Care Service. We are now pleased to share our reflections with you and the Committee in this letter.

You may recall that, in late 2021, the Promise Scotland responded to the government's consultation on the proposed shape of the National Care Service. A brief summary of the methodology followed to come to a view is [detailed here](#), with the full consultation [response here](#).

In summary, the conclusion reached by the Independent Strategic Advisor for the promise and The Promise Scotland was that, at that time, the government's proposals provided insufficient evidence to reach a binary 'yes' or 'no' decision.

After the consultation closed, The Promise Scotland commissioned [independent analysis](#) of the 1,095 responses received and published by government, to ascertain whether there was any consensus in the responses as to whether children's services should be in scope of the National

Care Service. In May 2022, the [concluding report](#) of this analysis was published. It details the researcher's consideration of the 521 respondents that commented on whether the National Care Service should include both children and adults (112 specifically mentioned the Independent Care Review / the promise). Again, the evidence was that, despite the majority of respondents trying to reach a view, they were unable to do so, due to a lack of evidence.

More recently, the [CELCIS Children's Services Reform Research](#), commissioned by Scottish Government, provides useful insight and learning around the conditions for success in reforming children's services. But again, it does not signal a clear conclusion as to which structures are most likely to improve outcomes for children and families, or to #KeepThePromise by 2030.

It is likely that the government will be taking into account a range of other factors in its considerations around the scope of the National Care Service, but the basis for the policy to include children's services remains unclear. Therefore, in the absence of being aware of any additional evidence, **our position remains that there is no clear evidence that including children's services as part of the National Care Service will be more likely to #KeepThePromise by 2030.**

In addition, we can foresee some risks to this position which, while not insurmountable, would need to be managed carefully. These include, but are not restricted to:

- the possible impact on the collaborative work underway, with the many and varied current custodians of the 'care system', and those systems adjacent and permeable to:
 - drive change, sustaining the momentum of the last 4 ½ years.
 - co-devising Plan 24-30 to get Scotland to 2030 and #KeepThePromise.
- the possible risks of disruption to the delivery of significant programmes of promise-related work
 - now and in the short-term, whilst work to shape the National Care Service continues,
 - through until 2029/30, the final year of delivery.

So much has changed over the last 4½ years since the conclusions of the Independent Care Review on 5 February 2020, and over the last 3¼ years since [the Independent Review of Adult Social Care](#) concluded at the end of January 2021. These include not only devastating unforeseen external factors such as COVID and the cost-of-living crisis, but also positive progress achieved by so many organisations and individuals as part of an enduring, national commitment to #KeepThePromise.

While recognising this uncertainty, looking ahead it is possible to be sure of two critical factors when planning future care services in Scotland:

1. As acknowledged in [the Independent Review of Adult Social Care](#), "Scotland's ageing demography means that more money will need to be spent on adult social care over the long term".

This means planning for an increasing demand between now and 2030, to deliver effective adult social care to support more people in their homes so they stay healthy and thrive.

2. Since 2020, the work to realise the conclusions of the Independent Care Review is shifting the focus of the 'care system' dedicated to supporting children and families towards prevention, with the number of children 'in care' reducing from c. 15,000 in 2020, to around 12,000 in 2024.

This means planning for a decreasing demand between now and 2030, delivering effective whole family wellbeing to keep children safe at home wherever possible, shrinking and specialising the 'care system' for a reduced number of children and supporting them with all that they need to grow up loved, safe and respected and go on to fulfil their potential.

In summary, you will understand why - without being aware of any new evidence, and without clear recognition of the changing demographic for the two principal groups who have very different delivery needs - we have shared our concerns with the Scottish Government and share these concerns with the Committee too.

It is therefore our view that, should government need clarity for the National Care Service Bill, it would be more prudent to legislate for an evidence-based decision as to whether to include children and families social work to be taken closer to 2029/30. By that time, work to support the populations that were the focus of [the Independent Review of Adult Social Care](#) will have gained traction, the ongoing work to #KeepThePromise will be close to conclusions, plus the ability of a nascent National Care Service to meet short-term priorities and incorporate new responsibilities will be clearer. Furthermore, government will be in a position to seek advice from The National Care Service Board on the best course of action.

As always, we would be very happy to meet with you to discuss any of these issues in more detail.

Best wishes,



Fraser McKinlay
Chief Executive
The Promise Scotland



Fiona Duncan
Chair, The Promise Scotland &
Independent Strategic Adviser