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Convener
Health, Social Care and Sport Committee

By email: hscs.committee@parliament.scot

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Dear Clare,

I am writing in relation to the National Care Service (Scotland) Bill.

As you know, I delivered a statement to parliament today on the revised proposals for the National Care Service and the urgent actions this Government will take to deliver improvements in the social care, social work and community health system.

After the pause to the Bill at Stage 2 in November (as indicated in my previous correspondence to the Committee of 13 November 2025), we are now proposing changes to the Bill based on the feedback from people with lived experience, stakeholders, parliamentary committees and political parties. In order for the Bill to be supported, we have made considerable efforts to find compromise and a way forward. My door remains open to continued discussions on the Bill.

We have prepared a factsheet which supports my statement and provides further details on the proposed changes to the Bill. You will find a copy attached below as an annex. A copy has been sent to every Member and is also available via <https://www.gov.scot/publications/national-care-service-ncs-factsheet>.

Our plans for the National Care Service have always, and will continue to be, focused on improving the services that people need, in partnership with people with lived experience of delivering and accessing social care.

I look forward to continuing to work with you and the Committee as we move forward with our plans for social care reform.

Kind regards,



Scottish Ministers, special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See www.lobbying.scot

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About the National Care Service

Why we are developing the NCS

We know how urgently social care needs reform. Services must be built on an understanding of people's needs. We recognise how hard the workforce and unpaid carers strive to achieve that, but we must improve the system itself for lasting progress to be made across Scotland.

We are bringing together the changes we have already made and those still to come under the National Care Service (NCS) for social care support, social work and community health services. The Scottish Government's aim is to deliver consistent support with better results for everyone, everywhere in the country.

Background

Our vision for the NCS has always been shaped by the views of people with experience of the current system, alongside independent expert feedback.

There are three core strands of work that have formed the basis of this vision. The recommendations and ideas we have had from these sources still guide all our work on social care reform.

The Feeley Review

In February 2021, the Feeley Review (chaired by Derek Feeley, and also known as the [Independent Review of Adult Social Care](#)) set out its recommendations for improving the social care system. We have not waited for legislation to act on these, with work already underway or completed. The Feeley Review is where the recommendation for an NCS was first made.

NCS consultation

Following the Feeley Review, in autumn 2021, we held a public consultation on social care and community health in Scotland. There were over 1,300 written responses and over 100 public engagements.

The responses supported a nation-wide change in care and support delivery. There was strong agreement that we must place human rights at the centre of our decisions to ensure equality, non-discrimination and dignity. Through the consultation process, people confirmed that they wanted an NCS, accountable to Scottish Ministers, with services designed and delivered locally.

Read a [summary of the NCS consultation responses](#).

Co-design

From the very start, we designed the NCS with the people who will use and work in it. To help us tailor the NCS to local needs, we have been carrying out co-design and engagement work across the country with:

- people who use and deliver services
- stakeholders
- political parties
- the wider public

At the time of writing, 2,046 people have participated in co-design activities for the NCS.

- This work has driven key decisions around the NCS. For example, participants have helped:
- shape our approach to embedding lived experience in the NCS
- draft our Workforce Charter and Charter of Rights and Responsibilities
- inform improvements needed to complaints processes

The focus of our reforms

There has been some disagreement about the best way to improve the system. But the message from people who use and provide services and support has been clear all the way through. They have told us about the changes they need – and these are the areas at the centre of our reforms.

Shifting attitudes to fully value social care

Many people want to see social care become a profession with real opportunities for progression for staff. We have heard many calls for cultural and structural change to put social care support on the same level as healthcare.

We have also heard calls for better support for unpaid carers, reflecting the important role they play in our communities and protecting their wellbeing.

Access to high-quality support and services for everyone

There must be access to excellent services everywhere in the country. This means setting consistent standards and targeting improvements where they are most needed.

Embedding human rights

The Feeley Review recommended putting human rights, equity and equality at the centre of all our decision making. This means changing the way we design and deliver support, to embed human rights at every stage.

Participation

People with experience of services and support must have a meaningful part in the oversight of planning and commissioning. The NCS must create clear structures to support participation. It must also make it easier for people to take part in decisions about their own care.

Access to information

It's difficult for people to see and contribute to information held about them. It's also difficult for staff from multiple organisations to access consistent information about an individual. We will establish a scheme for information sharing, so that public health and social care services can be provided efficiently and effectively.

This will lay the foundation for an integrated digital approach to Health and Social Care information sharing and crucially, making it easier for people to access and manage their own information and care. The opportunities that digital approaches offer to improving people's experience of care and treatment will be crucial.

Social care reform in the wider UK

There are some issues we need a four-nations approach to solve. That's why we welcome the UK Government's commission on social care. We look forward to working with the commission and the UK Government to develop solutions to the problems we share. We hope the commission will provide the same solid basis for change that our own Feeley Review has.

In the meantime, Scotland has been moving forward on many key areas. Examples include our work on sectoral bargaining and pay.

Sectoral bargaining

Scotland is making good progress on delivering sectoral bargaining for social care workers in the commissioned sector. The Fair Work in Social Care Group is now completing work on a model to put to Ministers for agreement.

The UK Government's Employment Rights Bill also gives a legislative basis for an adult social care negotiating body for pay and terms and conditions. The Scottish Government is keen to use this to build on the work already done by the Fair Work in Social Care Group. We believe that all the relevant powers relating to a Scottish adult social care negotiating body should be given to Scotland.

Pay

The UK Government increased the National Living Wage to £12.21 per hour from April 2025. This applies to many social care workers in England.

The Scottish government will provide funding to local authorities which will enable an increase in the hourly rate for workers delivering direct care in commissioned services to £12.60 from April 2025, which is 39p higher. The minimum wage for full-time adult social care staff in Scotland is over £750 per year higher than for those in England.

The way forward

We recognise there has been opposition to some parts of our original NCS proposals. We have heard that feedback and balanced it with feedback from people who use and deliver support and who want to see progress now on social care reform.

With that in mind, we are channelling the work we have already done on the NCS in a new direction. The end point will be the same: an improved experience for everyone who accesses or delivers these services in Scotland. We want to change our approach to the NCS Bill by making some structural improvements without the Bill.

We will assess the impacts of this change in direction to make sure we understand its effects on people.

Improvements we are making now

Our priority is to make sure everyone in Scotland can access the support they need to thrive.

As part of this model, these are some of the initiatives we are already working on to help us bring about real improvements in people's experience.

NCS Advisory Board

We are creating a new NCS Advisory Board. This replaces our original plans to legislate to create an NCS National Board as a new public body. We expect the Advisory Board to meet for the first time in March 2025.

Membership of the Advisory Board will include:

- people who access and deliver support
- trade unions
- NHS leadership
- local councils
- Integration Joint Boards (IJBs)
- the third sector
- Scottish Government representatives

We will ensure that people with lived experience of accessing care or being a carer have a strong voice on the Board and that their interests are at the heart of the Board's work. This will be reflected in the choice of Chair for the Board.

We will develop a Support and Improvement Framework, structured like a ladder. Where agreed standards are not being met, this framework will offer progressive and targeted support to those areas to help them improve. The Advisory Board will advise on the best way to do this.

The Advisory Board will advise on how Ministers might use their existing powers of guidance, direction and funding in cases where agreed standards are still not met after support has been offered. The framework will work alongside a wider support offer available to all local areas. It will help to ensure consistent, fair, high-quality services for everyone.

This approach will mean that there is a shared understanding of what "good" looks like. It will also give a systematic, open and transparent approach to tackling problems in local areas quickly, when they first emerge and before they become a crisis.

We will agree the approach with partners and stakeholders, including people with lived experience.

There will be scope for the Advisory Board to advise Ministers about national priorities for integrated health and social care services. This could include:

- delivery of the National Carers Strategy
- improving support for the workforce and advancing Fair Work

- delivery of Self-Directed Support

We will also explore how the board will link to existing oversight and governance. This includes around children's services and justice social work.

We are prioritising further work to define and deliver the NCS Advisory Board. It will be important to get the remit and membership of the Board right. We will make sure the right support is available to enable all Board members to take part equally. We will be guided by the outputs from the co-design work we have done over the past year.

Further investment

We are investing £88.4 million per year in local carer support through local council Carers Act funding. We will deliver £125 million to enable the funding of the real living wage for our children's and adult social care workers.

Our social care and community health services must have a high standard of workforce planning and staff learning, development and leadership support. This will be a priority as the NCS continues to take shape.

We have insisted that the UK Government work to reduce the impact of the rise in employers' National Insurance payments. We will continue to apply pressure to them to find a solution that works for the care and health sectors.

Integration Joint Boards (IJBs)

We will support Highland Council and NHS Highland to move from the lead agency model of integration to the Integration Joint Board (IJB) model within their timescales. IJBs will still be responsible for local planning of services.

Focused national programmes for priority areas

The Scottish Government is working on several national programmes in partnership with local leaders. We are using them to target areas of urgent need, where a national approach can help support local delivery.

Below are some of the key national programmes we are currently working on.

Coming Home

We are continuing to take action on delayed hospital discharge through our [Coming Home programme](#). This includes new support registers to help with local planning, building on our investment into health boards. We will also keep working with local partners on community-based solutions to reduce future hospital use.

National Mission on Drugs

Our [National Mission on Drugs](#), announced in January 2021, is supported by an additional £250m of funding over the course of the current Parliamentary session. Its goal is to reduce drug-related deaths and harms.

Getting it Right for Everyone (GIRFE)

We have co-designed [Getting it Right for Everyone \(GIRFE\)](#) with Health and Social Care Partnerships and the people of Scotland, starting in 2022. This is a multi-agency approach to support and services from young adulthood to end of life care. Pilot projects are ongoing across the country.

We published a national GIRFE toolkit in December 2024. It focuses on developing a 'Team Around the Person' to promote and enable person-led approaches to care and support in Scotland.

The toolkit also includes case studies to show how the GIRFE person-led approach has improved outcomes for:

- people receiving care and support
- the health and social care system itself
- The toolkit is a starting point for sharing learning and developing our GIRFE approach together across Scotland. Health and social care organisations and wider public services and policymakers can all use it.

Self-Directed Support (SDS)

To ensure people have choice and control over their support, we are working to deliver our Self-Directed Support improvement plan 2023 to 2027.

We have invested over £15 million up to April 2025 in delivering the plan, which is intended to help us to embed the principles of SDS within social care support in Scotland. These principles include dignity, involvement and informed choice. We want people to have the chance to make decisions about their own social care support. We are working in partnership with councils, care providers, and COSLA to do this.

Support in the Right Direction

The Scottish Government has committed £9.9 million to relaunch the Support in the Right Direction Programme from 2024 to 2027.

This programme will help make sure people across Scotland have access to:

- SDS information and advice
- information about accessing independent advocacy, brokerage, and preventative support

Dementia Strategy for Scotland

We believe that up to 90,000 people are living with dementia in Scotland. We need to do more to support them to live well in their communities.

To do this, we have worked with the National Dementia Lived Experience Panel, and local and national partners. We have been developing and have started delivering our 10-year [Dementia Strategy for Scotland](#).

We have already made progress by delivering in partnership with people living with dementia. This includes:

- a co-produced national campaign asking society to 'Rethink Dementia', which reached over 3 million people

- additional investment of over £4 million to enhance post-diagnostic support and grow community resources for people following a diagnosis

Improvements we will make next

Regulation of services

In line with our commitment to improve regulation of services, we will:

- review the current health and social care standards
- improve access to information for those seeking social care

Improvement Approach

We will co-develop and implement a framework which builds learning, improvement and quality management into the system.

Complaints update

We have worked closely with people who access and deliver support, and stakeholders, on improving complaints and redress . Based on this work, we will set out and deliver an updated programme to improve complaints processes.

Charter of Rights

We will continue to develop and publish our co-designed Charter of Rights. It will set out people's rights when accessing support and provide a clear pathway to make a complaint if their rights are not upheld. The Charter will support people to better hold the system to account and receive the services they need to thrive.

Workforce Charter

We will continue to take a co-design approach to developing an NCS workforce charter. It will aim to bring together social care, social work and community health as a more integrated workforce. We must help this workforce to feel engaged, supported and valued for the important work they do under the NCS.

Establishing a national partnership approach to social work

We need future-proof reform to support the whole social work profession. The social work sector agrees and, along with the social work workforce, we all believe we must work differently. We must work in partnership to drive lasting improvements that support the vital role of social workers across Scotland.

Commissioning and procurement practice

We have worked with stakeholders to consider where changes to legislation, including procurement regulations, may strengthen the implementation of ethical commissioning.

But we have already started working on improvements that do not need legislation. We have a working group looking at current practice and barriers to delivery of good practice.

As the Feeley Review recommended, through the NCS we will embed ethical commissioning and procurement throughout Scotland. This includes publishing

principles of ethical commissioning and procurement and developing guidance and tools to support them. These will be set at a national level, to be delivered locally.

Improvements included in the Bill

We intend to remove Part 1 of the Bill but retain Parts 2 and 3 of the Bill at Stage 2, subject to Parliament's agreement. These parts of the Bill cover some of our original NCS proposals and we will still implement these if Parliament agrees to the Scottish Government's Stage 2 amendments.

Anne's Law

The NCS Bill will place care home providers under a duty to facilitate visits to and by residents unless there is a serious risk to the life, health, or wellbeing of people at the care home. It will also state that some types of visits should always be supported. For example, in end-of-life situations or where there is the possibility of serious harm to a resident's wellbeing from not having a visit, and this outweighs the serious risk of a visit. This part of the Bill is known as Anne's Law.

Information sharing and information standards

It is currently too difficult for people to see and contribute to information held about them. It's also difficult for staff from multiple organisations to access consistent information about an individual. We will establish a scheme for information sharing, so that public health and social care services can be provided efficiently and effectively.

This will also support consistent information standards across health and social care in Scotland. Improving the connectivity of our IT systems and data will make sure that the right people can access the right information, at the right time – including people receiving social care support.

This is important to improving information sharing across health and social care, and to developing an integrated social care and health record. In doing so we will ensure that people have access to data and information about them as they move:

- across services
- locations
- from prevention and early intervention to acute and specialist provision

Rights to breaks for carers

We recognise the huge contribution unpaid carers make to Scotland, support them and protect their wellbeing and caring relationships.

As part of this, the Bill will include a new right to breaks for unpaid carers. This major step is a recommendation of the Independent Review of Adult Social Care.

Ahead of the legislation, we are using funding levers to expand short-break support. The 2025 to 2026 budget includes an additional £5 million to expand low-intensity, preventative voluntary short breaks for carers.

This will bring the total value of the fund to £13 million for 2025/26. This means more carers can access the breaks they need. However, while this will improve access to short breaks for carers, it will not create a right to breaks.

Independent advocacy

We know how crucial independent advocacy is to the human-rights based approach of the NCS. We will consider how we ensure this is available to those who need it.

Continuing our work with the people of Scotland

Our co-design work with people who access and deliver services and unpaid care has been the basis of the NCS all the way through. We have considered all we've learned from co-design carefully in moving forward with this new phase of NCS development.

And we will carry on that essential work. We recognise that to build services that meet changing needs we must hear from those who understand them best – the people who experience those services every day. We will keep working with them. This will help us make the improvements people want to see and give all Scotland's people access to the support they need to lead full and fulfilling lives.