**NATIONAL CARE SERVICE**

**PROGRAMME BOARD**

**4 OCTOBER 2022**

**Purpose**

The purpose of this report is to seek approval from the Aberdeen City Chief Officers Group (COG) and the Aberdeen City Multi Agency Transformation Management Group (MATMG) to develop arrangements that will facilitate the development of Aberdeen City’s response to, and preparation for, the establishment of a National Care Service (NCS).

**Recommendations**

It is recommended that COG and MATMG:

1. Agree to establish an Aberdeen City NCS Programme Board and agree the Terms of Reference set out in Appendix 1;
2. Agree the Risk Register as set out in Appendix 2 on the basis that this will be developed and monitored by the Programme Board;
3. Approve the Opportunity Register for maximising the opportunities associated with the establishment of NCS as set out in Appendix 3 on the basis that this will be developed and monitored by the Programme Board;
4. Agree the Workplan as set out in Appendix 4 on the basis that this will be developed and monitored by the Programme Board;
5. Agree that the Programme Board will provide quarterly updates to COG and MATMG; and
6. Agree that the Programme Board provide six monthly reports into Aberdeen City Council (ACC), NHS Grampian (NHSG), and the Integration Joint Board (IJB).
7. **Background**

At the COG workshop held on 5 May 2022, there was commitment made to ensuring that the COG in Aberdeen would balance its collective efforts between managing the risks associated with the establishment of the NCS and ensuring the realisation of the benefits which an NCS could offer. The proposed programme management arrangements below attempt to strike this balance.

Currently there is no clarity on whether the proposed local care boards will be configured on a regional boundary or on the boundaries of the existing IJB’s. It is therefore proposed that the COG and MATMG progresses with the arrangements below on behalf of the city and when there is a determination of the geographical boundary, the city arrangements can be adapted and linked into any regional preparations.

1. **Timelines**

The Scottish Government (SG) recently published the National Care Service (Scotland) Bill. The SG describes this as ‘enabling’ legislation that provides a ‘framework’ for further ‘co-design’ with stakeholders.

The COG submitted a response to the consultation on the Bill on 1 September 2022. This aligned to the response submitted by SOLACE’s Public Protection Working Group. ACC, the IJB and NHSG all submitted responses. Relevant committees of the Scottish Parliament will now review all responses submitted.

A detailed timeline of next steps has not been published. However, it may follow:

* 2022: Publication of draft Bill
* 2023: Royal Assent and implementation of the National Care Service (Scotland) Act 2023.
* 2023: Appointment of a Chief Executive for the National Care Service in Scotland.
* 2023: Final Report published from the review of children services and justice followed by the Government’s formal consultation on its preferred model for these services
* 2023: Final Report published by Dame Sue Bruce following the review of the future inspection, scrutiny and regulation regime for social care in Scotland.
* 2023-2024: Publication of draft Regulations to provide the detail of how the NCS will operate.
* 2024-2025: Transition from Integrated Joint Boards to shadow arrangements for local Care Boards.
* 2026: ‘Go Live’ for the NCS.

1. **Transition Management**

At the COG May workshop it was agreed that COG ought to consider the approach to managing the transition and identify the key aspects that our approach should take account of. This included:

* Ongoing discussion across all agencies to ensure that any structural separation did not impair the necessary relationships that need to be maintained to deliver better local outcomes;
* The maintenance of links, knowledge and skills across all agencies and avoidance of siloed working;
* Governance to support the transition (noting that infrastructure support was lacking during the development of IJBs) and ensures that the new care boards remain focused on the continuation of our current local improvement journey so far as possible within the new national structures;
* Identification and monitoring of risks that are created through the proposals for a National Care Service;
* Identification and embracement of opportunities flowing from the proposals;
* A strong focus on leadership and shared accountability; ensuring that public sector leaders in Aberdeen promote a culture of joint working notwithstanding structural changes at a national, regional and local level put in place by legislation or policy;
* Monitoring of relevant data for the impact of changes made to public protection arrangements; and
* The management of immediate risks created by the proposals.

1. **Proposals**

The Terms of Reference for a Programme Board, Risk Register, Opportunity Register and Workplan seek to capture the points raised in section 3 above. Should COG and MATMG be minded to approve, a version of this report will be considered formally by the IJB Board and at a meeting of council. The Aberdeen City NCS Programme Board will then report into the COG, MATMG, NHSG and Aberdeen City Council as set out in the recommendations, unless otherwise agreed.

**APPENDIX 1**

**DRAFT TERMS OF REFERENCE**

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| **Title** | Aberdeen City NCS Programme Board | | |
| **Lead** | Fraser Bell, Interim Chief Operating Officer  Aberdeen City Health and Social Care Partnership | | |
| **Date** | 22 September 2022 | **Version** | 1 |

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| **Purpose** |
| To proactively consider the implications of the NCS (National Care Service) on local arrangements.  The Board will seek to:   * Provide and promote strong collective leadership across all relevant agencies represented on the Board and ensure the avoidance of siloed working; * Maintain the necessary relationships, knowledge, and skills across agencies throughout the transition and implementation of an NCS; * Identify, develop, and monitor risks and opportunities created by the proposals for an NCS; * Ensure continuing momentum and focus on the local improvement journey so far as possible during the transition and implementation of an NCS; and * Oversee a workplan to ensure a smooth transition to the NCS.   The Board may be adapted or dis-established in favour of a regional NCS Programme Board should it be confirmed that care boards will be established on a regional basis. |

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| **Meeting Frequency** | **Quorum** |
| Quarterly | 1 Chairperson (or nominated other) and 3 members |

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| **Remit and Responsibilities** |
| * Analysis of draft legislation in respect of the NCS. * Develop responses to consultations in respect of the NCS where relevant for COG and/or MATMG approval. * Report into the Multi-Agency Transformation Management Group (MATMG) and Aberdeen City Chief Officers Group (COG) with an update in respect of the NCS and any activities following each meeting of the Board. * Oversee a workplan to ensure that the city is adequately prepared for the transition to an NCS. * Oversee a risk register and opportunity register in respect of proposals for an NCS. * Share information and engage with Scottish Government and other relevant national groups where appropriate. * Develop evaluation framework to measure the impact of an NCS on local services. * Develop an engagement plan with service users regarding the transition to an NCS. * Monitor relevant plans/strategies that may link to functions that are to be transferred into an NCS. * Oversee the transfer of functions, assets, resources, liabilities etc. from agencies to an NCS. * Report to Aberdeen City Council, NHS Grampian, and the Integration Joint Board with an update in respect of the NCS and associated activities. |

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| **Executive Structure** |
| MATMG COG  Aberdeen City  NCS Board |

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| **Membership** |
| * Fraser Bell, Chief Operating Officer, Aberdeen City Health and Social Care Partnership (ACHSCP) * Gale Beattie, Director of Commissioning, Aberdeen City Council * Graeme Simpson, Chief Officer – Integrated Children’s and Family Services, Aberdeen City Council * Eleanor Sheppard, Chief Education Officer, Aberdeen City Council * Campbell Thomson, Independent Chair, Aberdeen City Adult Protection Committee and Child Protection Committee * Pamela MacKenzie, Managing Director, Bon Accord Care * Jess Anderson, Team Leader, ACC Legal Services * [Insert Name & Title], Police Scotland * June Brown, NHS Grampian |

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| **Support Arrangements** |
| * A Teams Channel or Sub-Channel will be created to promote discussion and collaboration. * An agency represented at the Board will provide secretariat support. * A programme manager may be required from one of the agencies to provide programme management support. * The Board may establish sub-groups to support it in the delivery of its Purpose and to discharge its Remit and Responsibilities. |

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| **Governance and Reporting Arrangements** |
| * + The ACHSCP Chief Operating Officer will chair the NCS Programme Board   + All papers will be circulated 5 days before a meeting.   + The Board will review and where necessary, update, the Terms of Reference at least annually. |

**APPENDIX 2**

**RISK REGISTER**

| **No** | **Description** | **Cause** | **Impact** | **Controls** |
| --- | --- | --- | --- | --- |
| **1** | A national structure may inhibit the ability to allocate resource based on local need (as opposed to what is perceived as a national need) | Prescriptive approach to service delivery set regionally (Grampian) or nationally (Scotland) as opposed to locally (Aberdeen).  Creation of regional care boards instead of local care boards.  Inappropriate national intervention into local matters. | Local needs not met.  Inefficient use of resource.  Worsening outcomes.  Loss of confidence of local leadership | Creation of NCS Programme Board and associated sub-groups with links to other relevant national groups. |
| **2** | Dis-Establishment of Existing Relationships | Focus on new structures may result in the loss of local relationships that are necessary to help deliver local solutions to local issues. | Siloed approach to service delivery  Worsening outcomes. | Appointment of an Interim Director for Children’s and Family Services within Aberdeen City Council for the period between now and NCS go live.  Exploration of a Columba 1400/Hunter Foundation Programme to strengthen relationships.  NCS Programme Board  Existing plans, including:   * City Integrated Children Services Plan (2023 to 2026); * City TOM for Children services – particularly the development of Family Support Model. * City IJB Strategic Plan & Delivery plan (2022-2025); * Child Poverty Action Plan; * Data integration work through D365 project; and * North East Public Protection Leaders Workplan. |
| **3** | Concurrency of national change programmes may lead to uncertainty and a lack of clarity through legislation or national direction that is not aligned or unclear. | Scale of legislative change within a relatively short period of time is significant. Potential that legislation does not close all the gaps leading to uncertainty over responsibilities and statutory obligations.  Relevant legislation does not change or keep pace with transfer of functions and staff into the NCS. | Uncertainty over statutory responsibilities and failure to deliver upon statutory duties and national initiatives, e.g., The Promise.  Poorer outcomes for service users.  Loss of ‘goodwill’ from agencies where responsibilities are no longer statutory.  Reputational Damage. | Creation of NCS Programme Board and associated sub-groups  Engagement with Scottish Government and relevant professional bodies including:   * Social Work Scotland * Chief Social Work Advisor at Scottish Government * Mental Welfare Commission * Community Justice Scotland * Scottish Care * Promise Scotland * Scottish Social Services Council (SSSC) * Scottish Government Learning Directorate * Association of Directors of Education (ADES) |
| **5** | Increase in demand on existing resources during the transition to and following implementation of NCS may become unsustainable | Creation of NCS Charter of Rights.  Implementation of a ‘Rights based approach’.  Increased public expectation to services expected from an NCS.  Necessary management of transition to new local and national structures may distract existing resource from delivery of existing plans and initiatives.  Loss of funding for preventative services to meet the proposed 25% increase in social care spend for the NCS. | Resource is not able to meet demand, service user expectation, delivery of existing plans or legislative requirements.  Reputational damage.  Worsening outcomes. | Creation of NCS Programme Board and associated sub-groups  Recruitment of additional capacity to the system including, interim Chief Operating Officer in HSCP, interim Director of Children’s and Integrated Family Portfolio Lead in NHS Grampian.  Implementation of Dynamics 365 project to support new ways of working, release capacity and address growing demand. |

**APPENDIX 3**

**OPPORTUNITY REGISTER**

| **No.** | **Opportunity** | **Description** |
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| **1** | Enhancement of ability to meet local need | Move away from risk response.  Redesigned services working together without the individual/carer needing to understand and work out for themselves who to go to for various aspects of support and care.  Seamless and simple access to services – with the ability to interact and transact with users across prevention, wellbeing, care delivery and social services in a trusted, personalised, and integrated manner – no post code lottery​.  Efficient service delivery – the ability for the NCS to effectively respond to service user and frontline needs in an agile, demand-driven, consistent, and operationally efficient way that is supported by evidence-based decision-making  Having a ‘single front door’ with the effort to connect people to services through organisations better linking up.  Having clearer evidence for the benefits of supporting people earlier, which are then factored into decision-making.  Opposite of allowing a hiatus to creep in – how we use NCS to accelerate Local Outcome Improvement Plans (LOIP) outcomes, and Integration Joint Board (IJB) strategic plan ambitions. |
| **2** | Workforce | Empowered and engaged social care workforce.  A workforce with the ability to create a person centred NCS and culture enabled by an agile workforce strategy and support resilience, ongoing skills development, change management and workforce empowerment. Increasing the digital capacity of the workforce will support agile and responsive working informed by use of data. |
| **3** | Funding & Resourcing | Funding available for adult social care/change of eligibility criteria and true implementation of Self-Directed Support legislation to give people voice and control.  Future investment in creating partnerships and collaboration among providers, with common standards for quality care, fairness, and consistency.  Another partner round the table to strengthen arrangements with autonomy and which is not financially dependable on other partners.  Ability to achieve Efficiencies. |
| **4** | Governance | Legislation in this field is being opened like never before - what things do we want to fix whilst we have a chance. The Promise makes a lot of reference to complicated legislative environment and need to rationalise. Local view is that much of the Adult Support Protection legislation is vague and could benefit from more definition.  There is an opportunity to influence the future inspection, scrutiny and regulation regime for social care in Scotland following the commissioning of Dame Sue Bruce by Kevin Stewart MSP. |
| **5** | Opportunity for Data Sharing | Data Sharing - fix some of shortcomings experienced during pandemic; not allow it to become a risk through further hurdles of new org. |

**APPENDIX 4**

**WORKPLAN DESIGNED TO ADDRESS TRANSITION APPROACH TO NCS**

|  | **Phase 0**  **22/23** | **Phase 1**  **23/24**  **Active Planning** | **Phase 2**  **24/25**  **Shadow** | **Phase 3**  **25/26**  **Go live** |
| --- | --- | --- | --- | --- |
| **Purpose & Needs of Service Users**  Development of the local care board strategic plan – which should reflect assessment of need and public protection risk profile of the city.  Development of a local evaluation framework to measure the impact of the National Care Service on service levels.  An engagement plan with service users across the entirety of this change programme to ensure voice of “lived experience” is heard – will particularly be important in terms of NCS regulation on provision of advocacy and complaint handling.  NCS Bill proposing a new statutory duty re breaks for carers (section 38) – link into IJB refresh of Carer Strategy.  Develop a plan to deliver the NCS Charter on Rights and Responsibilities.  Engage with the review of the future inspection, scrutiny and regulation regime for social care in Scotland (Dame Sue Bruce) | **√**  **√**  **√** | **√**  **√**  **√**  **√** | **√**  **√**  **√**  **√**  **√** | **√**  **√**  **√**  **√** |
| **Local Infrastructure for the new Care Board**  Lift and shift existing governance structures up and over into new care board as appropriate  Lift and shift commissioning and procurement arrangements, including ACC’s Bon Accord Care Ltd (BAC) (NCS Bill regulation section 32: transfer of property and liabilities).  Lift and shift physical assets of ACC up and over to new care board.  Lift and shift data in accordance with regulations flowing from sections 36 and 37 of the Bill.  Develop SLA, as appropriate, for back-office services from NHSG and ACC to the care board. |  |  | **√**  **√**  **√**  **√**  **√** |  |
| **Maintaining Pace of Local Reforms**  Delivery of the IJB Strategic plan (2022-2025)  Delivery of the integrated children services plan  Develop proposals for the delivery of a Target Operating Model for children services (which delivers upon The Promise and builds upon digital initiatives, including, Dynamics 365)[[1]](#footnote-2)[[2]](#footnote-3) | **√**  **√** | **√**  **√**  **√** | **√**  **√** | **√**  **√** |
| **Workforce**  Communication, Engagement, and support to staff – particularly in terms of the development of a positive vision locally for NCS and how it will support the achievement of LOIP and IJB strategic plan priorities  Organisational Design of new local care board to enable the activation of section 31 regulation within NCS Bill to TUPE staff  Cementing relationships to withstand the structural changes | **√**  **√** | **√**  **√** | **√**  **√**  **√** | **√**  **√**  **√** |
| **Processes**  Regional Alignment across 3 COGs  Development of Customer Journey Maps and Service Blueprints.  NE Public Protection Workplan to ensure the alignment of processes**.**  Alignment within the city COG partners re processes, data, and technology, including synergies across D365. | **√** | **√** | **√**  **√**  **√**  **√** | **√**  **√**  **√**  **√** |
| **GIFREC & GIFREE – Practice Models**  Implement the refreshed GIFREC guidance with the city and try and secure alignment regionally.  Develop a local GIFREE framework (as socialised in Feeley review) and try secure regional sign up. |  | **√**  **√** | **√**  **√** | **√**  **√** |
| **Funding/Resourcing**  Build the budget for Local Care 25/26 with associated efficiencies programme underpinning required savings.  Allocation of Budgets to support service delivery across city, shire, and moray. |  |  | **√**  **√** |  |
| **Consultation Responses**  Develop consultation responses for approval as appropriate. | **√** | **√** | **√** | **√** |

Note 1 – Implications of the government’s consultation following the publication of Professor Daniel’s Review of models of chidlren services will need to be added to the workplan potentially.

1. Subject to what the SG review of case for transfer of criminal justice social work into NCS – there may be an option for the creation of a national probation service like England. [↑](#footnote-ref-2)
2. Subject to the Professor Daniels Review and the Review of Children and Adolescent Mental Health Services (CAMHS) – these will have implications. [↑](#footnote-ref-3)