

# Parliamentary Briefing

## Independent Review of Adult Social Care

### Key Points

- COSLA notes the publication of the Independent Review of Adult Social Care and endorses the principles set out in the report of empowering people, valuing the workforce and embedding a human rights approach to social care.
- We also agree that the lived experience of those who rely on social care should be embedded within the system and that social care should move to a more person-centred approach.
- Local Government has had to operate within a context of limited funding and significant demographic based growth in demand. With the level of funding set out in the Review, Local Government would be best placed to deliver the human-rights based approach outlined at pace, whilst ensuring local democratic accountability remains front and centre of social care.
- We are very concerned at the recommendations on governance and accountability which would see the removal of local democratic accountability and a degree of centralisation. This would be detrimental to the local delivery of social care and its integration with other key community services.

**COSLA is the membership organisation for Local Government in Scotland. We provide political leadership on national issues and work with Councils to improve local services. Our vision, as set out in the [Blueprint for Local Government](#), is that Scotland's communities are sustainable, vibrant places to live, work and visit. The leadership and value of Local Government has been demonstrated consistently during the current pandemic.**

**Our vision of Scotland's adult social care system is one that is outcome focussed with the principle of addressing health inequalities at their core, is based on the experiences and needs of people across Scotland and addresses the financial challenges facing the sector. This can only be achieved by Local Government, which is rooted in and democratically accountable to, communities across Scotland.**

### COSLA's Engagement with the Review

The Chair of the Review, Derek Feeley, attended a meeting of COSLA's Health and Social Care Board, where Members provided their views on the changes needed to support improvements in adult social care. COSLA submitted a response to the Review, which reflected comments from a range of partners across Local Government. This [submission](#) was based on a series of principles which were agreed on a cross-party basis by Council Leaders.

### COSLA's Response to the Review

COSLA welcomes much of what is included in the report. Importantly, we agree with many of the principles it sets out and we recognise the challenges identified by those with lived experience, as they reflect our own long-term frustration with the current system and funding arrangements that rations the care we provide. We also welcome the report's focus on a number of key areas, including the

importance of embedding a human rights-based approach to adult social care; the importance of valuing social care, the workforce and ensuring it is supported on an equal footing to the NHS; the requirement for further support and recognition for unpaid carers and the underlying need for further investment in our social care system. These are all areas that have been championed by Local Government for a considerable period of time and must be addressed through reform.

However, there are aspects of the Review with which Local Government does not agree, specifically as to how they impact on the fundamental principles of local decision making and accountability.

## Areas for Consideration

**Local Democratic Accountability** - Key recommendations included in the report relate to the establishment of a National Care Service (NCS), including a move in legal accountability for social care support from Local Government to Scottish Ministers. The formation of the NCS as described would have implications for local democratic accountability, whilst being contrary to the outcomes of the Local Governance Review and Public Sector Reform as proposed by the Christie Review. Local Government has long supported involving people who use services and their families in the planning and delivery of those services. Local democratic accountability is essential to this – providing the means through which people can directly influence and shape service delivery at as local a level as possible. As it is set out in the Review, if a person wished to support or change a local social care service, they would have to appeal to a Scottish Government Minister rather than their local elected representative. The proposal is viewed as a retrograde step in integration.

**Structural Change** - Any structural review, particularly of this magnitude, will require a significant amount of time, resource, legislative change and legal and continuity issues would need to be considered carefully. Simply put, this structural change is unnecessary and the desired improvement outcomes can be delivered better and quicker by properly funding local authorities able to offer care based on the rights of service users and carers. It would also delay the positive recommendations in the report and improvements to the system that we all want to see. Local Government capability has been shown throughout the response to the pandemic, both through how Councils have responded to meet the needs of communities and in the joined-up working seen across the NHS and Health and Social Care Partnerships. If a structural review is to be progressed, it would have to look at the whole health and social care system and not just one element – given that most of the drivers of social care demand sit within the health system.

**Whole System Approach** – Removing the statutory responsibility for social care from Local Government would impact on the ability to deliver a joined-up approach across other Local Government services that impact on a person's health and wellbeing. People who access social care support often also access other Local Government services such as housing, education, children and families social work, welfare advice and employment support. The connections between the range of Council and partnership services should be preserved to ensure that services continue to be delivered to support our communities.

**Investment in Local Government** - The Review makes it clear that significant additional investment is required to ensure that everyone in Scotland receives the social care support they need to live their lives as they choose. Indeed, the report identifies that the total annual additional expenditure to meet the recommendations is £0.66billion, which represents a 20% increase in real terms over the 2018/19 level. COSLA has long called for this additional investment and [fair funding](#) for Local Government. However, it is important to note that this level of investment would enable local authorities to deliver meaningful improvements to address the issues identified throughout the report.