

## Independent Review of Adult Social Care in Scotland

Note of meeting – 14 January 2021 – 9:00 – 11:00

| <b>Present – via MS Teams</b>  |  |
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| Chair  | Derek Feeley   |
| Advisory Panel Members   | Malcolm Chisholm   |
|  | Stuart Currie  |
|  | Anna Dixon   |
|  | Caroline Gardner   |
|  | Ian Welsh  |
|  | Jim Elder-Woodward   |
| Scottish Government Attendees  | Alison Taylor<br>Christina Naismith<br>Paul Leak<br>Lorraine Davidson<br>Secretariat support |
| Apologies  | Göran Henriks  |
| <b>1) Welcome and Introductions</b>  |  |
| Mr Feeley welcomed the panel and offered apologies from Mr Henriks.  |  |
| <b>2) Minute of last meeting – 7 January 2021 (IRASC (049))</b>  |  |
| The minutes of the previous meeting were signed off without amendment.   |  |
| <b>3) Discussion on Draft Report</b>   |  |
| <p>Mr Feeley explained the bulk of this meeting was to be spent on going section by section through the draft report circulated to panel members, in order to capture any final comments, advice or steer on its contents and recommendations. He clarified that he was not asking the panel to sign off the report, referencing his remit and responsibility as Chair and the review Terms of Reference, but that he was pleased the circulated draft was able to take into account the vast majority of emailed comments and conversation. He explained the case studies or personal stories that had been emailed to the panel members were still to be woven into the report at the front of each chapter, and that the film currently under development was a suggestion from some of the people he had spoken to during the review. It was agreed that the film will be an excellent addition to the written report.</p> <p>Mr Feeley invited comment on the foreword.</p> <p>Ms Dixon congratulated the team on having pulled their interesting discussions and huge amount of engagement into the report. She expressed some concern about a subtle balance in the report, personal stories and the film between the experience of people who are accessing social care because they are aging and experiencing disability because of a decline in their mobility towards the end of their life, and people who are living with continuing care needs. She saw that the activism and advocacy seen in the disability independent living movement was not reflected in older people and their carers. She and Mr Feeley agreed there needed to be wording that recognised that there was a whole range of people needing social care support and that some of their needs were the same, some different, and that there was a balance</p> |  |

to be struck in terms of the tone of the report on this, not a change in the recommendations.

Mr Welsh noted that there is a range of work underway to consider support for older people, such as the refresh of the dementia strategy in Scotland and conversations that were happening around the country prompted by the spotlight being shone on human rights in care homes during the pandemic. He noted the engagement undertaken with organisations representing older people and suggested it was not too late to reach out for more stories to be included in the film.

There was broad consensus amongst panel members on the need to ensure visibility of older adults in the report and film, and to stress the importance of taking a rights based and inclusive approach for all ages and circumstances.

**Action:** *Mr Feeley and Lorraine Davidson to explore filming another older adult in receipt of care for the film.*

Cllr Currie made a point about emphasising the right of people to live in their communities, and Mr Feeley agreed that needed to be looked at. There followed a discussion on the 'What We Heard' section and the attempt to capture themes and honour the contributions people had made to the review. Cllr Currie picked up the frequently made points by people working within the social care system about the frustrations of bureaucracy, lessons of the pandemic and their freedom to make decisions. Mr Feeley agreed to look at emphasising the need to change the system within this section.

Mr Feeley described how he had incorporated emailed suggestions, particularly from Mr Elder-Woodward and Mr Welsh, into the purpose and human rights sections, and explained his desire to keep statements here short and memorable, referencing "safe, effective person-centred care" in NHS contexts. Mr Welsh noted that this vision statement was contextualised by, and built on the work and wording of others engaged in social care. Mr Elder-Woodward asked for clarification on who "we" was in the text.

In reference to the unpaid carers section Ms Dixon talked about a system where caring for family is a choice, the inadequacy of the Carer's Allowance and how unpaid carers suffer financially, and expressed concern that what was proposed was not as radical as she would have hoped. Mr Welsh also expressed his concerns about practical recommendations, not just recognition for unpaid carers, giving context from his own caring experience and the harrowing stories heard from those providing high dependency care for family members with little to no support. Mr Feeley noted the main priorities he had heard during engagement with unpaid carers and how the report responded to them, as well as the economic challenge and the economic potential of releasing those who want to return to the workforce. There followed further discussion about the desire for day to day support and not just occasional respite, financial support, carers allowance, carers assessment, flexibility in care needs and the normalisation of family relationships. Mr Feeley agreed this was a part of the report where he should and would say more and thanked the panel for their contributions.

Mr Feeley then asked for reflections on the section on a National Care Service. It was noted that people did and would continue to define a National Care Service in many different ways and that this was the part of the report that many would read first,

sometimes with expectations about nationalisation. Cllr Currie referred to his concerns about proposals to take statutory accountability for adult social care from local government and reiterated the important role of local government in broad issues relating to public wellbeing as well as health and social care itself, for instance in relation to planning decisions. He noted that some readers of the report might expect recommendations that led to a more nationalised service, closer to the model of the NHS for instance. He welcomed the reference to further thinking being required on VAT. Mr Feeley noted that it was worth remembering that, contrary to public perception, much of the NHS is not nationalised but is delivered by independent contractors via a national contract, for instance with general practice, optometry, dentistry and pharmacy, and that there was a parity argument to be made. Ms Dixon agreed, and also noted that the heterogeneity of the voluntary sector is a positive attribute in terms of meeting people's diverse needs. Ms Gardner stated she felt the report adequately met the argument and expectation that social care should be nationalised, particularly care homes, and that it was clear on why the recommendations had not taken that route. Mr Chisholm specifically welcomed the reference to the nationalisation of care homes being financially unfeasible. Mr Feeley acknowledged that he did not expect Local Government support for changing statutory accountability for adult social care as set out in the recommendations, but that at the same time he is very much aware of the importance of their continuing role in adult social care and social work, and the public sector more widely.

Mr Feeley moved onto the section on improving outcomes and closing the implementation gap.

Mr Chisholm stated he felt the recommendations on quality were arguably the most important in the report and made some suggestions on wording and the order in which they were presented for clarity, which were noted by Mr Feeley. Mr Welsh asked about how it could be shown that human rights were being embedded in future programmes of improvement and Mr Feeley answered that conversations with human rights and equality bodies were already underway to embed human rights based approaches in the design.

Ms Gardner asked that recommendations were explicit in reference to asking existing bodies – the Care Inspectorate and Healthcare Improvement Scotland in particular - to work together effectively to drive and support improvement.

The section on models of care prompted discussion on scaling up, including barriers to innovation, planning, scaling and spreading including infrastructure, commissioning and regulation. Mr Feeley noted that a core function of a National Care Service should be the scaling up of promising local practice to a national level.

Cllr Currie noted that the discussion on residential care and homes for life in this section did not explicitly feed into the recommendations, which was noted by Mr Feeley as an important point to reflect.

Mr Feeley stated his aim for the commissioning section was to set out what was the "new deal" for commissioning and procurement, in terms of the ethical, rights-based and standardisation when receiving public money, with points about transparency, quality, fair work and profit. Cllr Currie and Mr Chisholm discussed the recommendation to pause procurement and the need for clarity on this.

The sections on Fair Work and finance were recognised as being intertwined. Points were made about revisiting additional investment in unpaid carers and identifying costs that are already built into the system that would be addressed in Fair Work. Final comments were made about the position on revenue raising, the case for investment and the democratic process by Ms Dixon.

Mr Feeley thanked the panel for their helpful remarks which would be incorporated into the final draft of the report. Prompted by a question from Mr Elder-Woodward it was explained the report would be available in an easy read format and other formats as required, and that the film would be subtitled and a BSL version prepared.

Mr Feeley stated that he would give proper thanks next week but that he wanted to highlight the efforts put in by Alison Taylor, Christina Naismith and Paul Leak in report drafting over the Christmas and new year period.

#### **4) Discussion on Short Film**

Mr Feeley encouraged the panel to watch the video and thanked Lorraine Davidson and the film maker for bringing what was in the report to light, expressed in a different way, especially with social distancing filming constraints. Cllr Currie praised the case studies and video as setting out a story about areas that have gone right, but also where it has gone wrong and that cause and effect links were well set out.

#### **5) Agenda items for meeting on 21/01/2021**

- Report presentation - how we want to communicate and present the report to the world.

#### **6) Future Meeting Dates**

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| 1 | Thursday 21 January 2021 | 9:00am – 11:00am |
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