

Realising rights and responsibilities: Summary of findings from regional forums

September 2023

About the National Care Service

The Scottish Government is working with people and organisations across the country to improve community health and social care support in Scotland.

We want everyone to have access to consistently high-quality local services across Scotland, whenever they might need them.

That's why we are introducing the National Care Service (NCS) and shaping it with the organisations and people who have experience of accessing and delivering community health and social care support.

Introduction

Throughout the summer of 2023, we held a series of regional events across different communities in Scotland as part of our on-going work to co-design the National Care Service. These took place in places from Stranraer to Shetland and were chosen to ensure we worked with both rural (mainland and island) areas as well as town and urban areas.

We also ran online events for people who could not attend in person. This report is a summary of what we heard from people and what we will do next to continue co-designing the National Care Service with the people and organisations who need or deliver community health and social care support.

At each of these regional events we ran three co-design theme sessions as well as more informal drop-in lunchtime sessions. In some areas we also went out to local organisations to run additional events on their premises.

The sessions were all aimed at people:

- with lived experience of community health and social care support
- with lived experience of working (in a paid or an unpaid/carer capacity) or volunteering in community health and social care
- or who have an interest in community health and social care in Scotland

The total number of attendees at these events was 606.

The co-design sessions related to one of the five current co-design themes of the NCS:

- Information sharing
- Keeping care support local (part 1 local services and part 2 community health care)
- Making sure my voice is heard
- Valuing the workforce
- Realising rights and responsibilities

The first part of each session involved sharing our current understanding of:

- people's current experiences of community health and social care
- where people felt the changes to community health and social care in the National Care Service should be focussed

We wanted to check with people if our understanding was right and if we had missed asking any important questions.

In the second part of each session we then asked people to share their ideas about how to solve the problems or make the changes we had discussed in the first part of the session.

This report is a summary of the key things that we heard from people. We will use the full detailed feedback we have gathered to develop further co-design work with people and organisations over the next 18 months, as we move towards the final decisions about the design of the National Care Service.

We will also run additional sessions targeted at children and young people, as well as at people from groups who we know are currently under-represented in this work. This is to ensure that the National Care Service reflects and meets the needs of all the different kinds of people who need to use and work in delivering (whether paid, unpaid carers or volunteers) community health and social care support.

About Realising rights and responsibilities

This report relates to the feedback we have gathered from the Realising rights and responsibilities theme. This was collected at the events in:

- Glasgow
- Stranraer
- Skye
- Shetland

There was also an online event on this theme for people who could not attend an in-person event (for example due to ongoing concerns about Covid).

In total 97 people took part in the Realising rights and responsibilities sessions.

The National Care Service (NCS) will be governed by a set of principles setting out that social care and community health services are essential for human rights in Scotland. The NCS will have equality and dignity at its heart.

The first phase of co-design for Realising rights and responsibilities is focussed on developing the NCS Charter of Rights and Responsibilities ('the charter'). The charter will help people to better understand their rights and what they can expect from the NCS. The charter will also provide a clear way to get further support and advice or how to make a complaint if rights are not met.

The charter is being developed with people with lived experience of accessing and providing community health, social work and social care support, including unpaid carers, to ensure that it meets their needs.

The first phase of co-design (the understanding phase) took place between April and June 2022 and focussed on:

- understanding people's knowledge of care-specific rights
- ideas about how the NCS charter could address challenges
- views on how people wanted to use the NCS charter
- what would make the charter accessible.

From this, we developed some early draft content for the charter. Over the summer we have been carrying out further co-design on this early draft to identify potential themes, structure and content.

How we ran the sessions

The sessions we ran on realising rights and responsibilities:

- provided an update on what we have developed so far
- asked people to get involved in developing this further

The purpose of the sessions was to understand:

- if the content in the draft charter helped people understand their rights
- if there was anything important missing from the draft content
- if there was anything in the draft content that people disagreed with or thought was incorrect
- what we should co-design next

We sent people a copy of the draft charter one week before each event.

The session was split into three main activities.

For the first activity, we showed people a section from the draft charter and asked them to read it. When we had a large number of people attending, we split them into groups of around four people and gave each group a different section of the charter. Sessions with small numbers of people saw the full draft charter text.

Using coloured highlighter pens, people were asked to highlight the sections that they felt were clear and unclear and asked to write notes to explain their thinking.

For the second activity, people were asked to discuss how we could improve the charter. Working in groups, they were asked to write down three ideas for how the draft charter could be improved.

Finally, we had a group discussion about their ideas and anything else they wanted to tell us about their experiences.

What we learned

People were generally supportive of the need to inform people about their rights through a charter.

We will act on what people have told us in the summer forums, wider co-design activities, and stakeholder engagement events and update the draft charter to meet their needs.

We learned a great deal during these events and some of the key themes are set out below.

Accessibility

As expected, people told us that the rights in the charter need to be presented in plain language, free of jargon and in a range of accessible formats.

We worked with people to identify words and sections of the draft content that were too complex or hard to understand. People told us that:

- the section on judicial review was not clear or they felt that it ‘contradicted itself’
- words such as ‘integrated’ and ‘collaboration’ were overly long and could be difficult to understand
- terms such as ‘community health’ and ‘self-directed support’ may be unfamiliar to some people and that the charter should include a short definition to explain what they are

Changes to the charter structure and content will be made to reflect what people have told us in the sessions. This will help to make the charter more accessible and functional.

A consistent message was that a lengthy, written charter will not meet everyone’s needs. There were different ideas on how to address this including:

- keeping the charter as concise as possible and providing the charter in a range of formats
- using posters, leaflets or booklets, as this will be more accessible for some people and may help raise awareness of the charter

From earlier co-design we know that people feel it will be important for the charter to be made available in Easy Read, Braille, BSL and other languages.

Getting the right balance between making sure the charter contains detailed information that people need and keeping the charter short, clear and easy to use will require more work. We will continue to do this work through co-design.

Once co-design on the content of the charter is complete, we will begin work to co-design different formats of the charter to reflect what people told us. This will include

accessible formats and different languages and exploring options for posters, leaflets and booklets.

Charter detail and language

In other co-design activities before this event, we learned that people want the charter to be declarative and unambiguous. This means that people would be clear on what to expect and delivery bodies 'can't wriggle out' of their duties.

In the summer events people pointed out vague statements in the draft charter such as 'may happen' or 'where possible'. They suggested that we change these to concrete statements and provide examples.

We will review these statements and update them to make them more declarative, but we may not be able to do this for all the statements people suggested.

People also told us that some sections of the charter were vague because they needed more detail, such as in the complaints section and in the introduction.

In the complaints section people suggested more detail should be provided on how to make a complaint, preferably using a simple diagram and including timelines.

In the introduction, people felt that more detail should be provided about:

- what services are National Care Service (NCS) services
- who works for the NCS

This would help people better understand what the NCS does and how it relates to their support.

We will continue to co-design the introduction section to:

- provide explanations of what the NCS is
- who will be part of the NCS
- include instructions on how the complaints process will work, complete with diagrams and timescales

Rights in the charter

We were keen to hear people's views on the rights set out in the charter, particularly if there were any missing or if they disagreed with any of the rights included.

People were generally supportive of the rights in the draft charter. A small number of people felt that there were some rights that may be missing from the charter.

For example, young carers at one of the events explained the importance of the right to breaks from caring and felt that this should be included in the charter.

It is essential that the rights set out in the charter are the right ones. We will continue to explore the need for additional rights through our wider co-design activities and with equality and human rights stakeholders. For the rights that people have identified as missing, such as rights to breaks from caring, we will begin work to include these in the draft charter where possible.

Some people suggested the rights in the charter could be clearer and more relatable. They suggested this could be done by providing more information on the rights in different contexts. For example, the right to be treated equally and the right to a private and family life. We also heard that examples of rights in practice would help people more fully understand the charter and be able to relate them to their own experiences and situations.

In more rural areas, people told us about the barriers they face trying to access:

- social care
- social work
- community health services
- transport
- digital connectivity

People told us that they want this to be reflected in the 'Equality, Dignity and Respect' section of the charter. This would make it clear that people should have equal access to services and support in rural and urban areas.

Some people suggested that the section on the 'right to family and private life' could include information on the needs of friends and family living with a person accessing care support, while also ensuring that the person accessing care has privacy.

New language in the 'rights to equality section' and 'rights to a private and family life' section will be developed and tested with people with lived experience of accessing and providing care to better reflect the needs of rural communities and families.

Information on further support and advocacy in the charter

People suggested some more things that could be included in the charter that would help people access care support. These included:

- some people from rural and remote areas suggested that the charter could provide information on how to get transport support to attend NCS appointments, where available
- signposting and links to existing advice, guidance and support that people might not be aware of such as the Health and Social Care Standards
- the importance of advocacy to supporting people to get the best out of the available support. People told us about the range of advocacy that they accessed including independent advocacy and peer advocates and felt that this should be reflected in the charter

Next steps

What's next for realising rights and responsibilities

We will continue to co-design the charter, making changes and improvements until it is published when the NCS is launched. There are parts of the charter that are still to be developed and there will continue to be lots of opportunities to influence this.

Some of the things that we will do based on the learning from the summer forums include:

- provide examples of what some of the rights look like in practice. This will require further co-design with people with lived experience to make sure that it meets their needs.
- continue to co-design a definition of advocacy for the charter.
- review the information and guidance that people told us would be helpful in the charter. This will help us to find the clearest and most useful options for people. Options for more information and links to be put in the charter will then be taken back out to people with lived experience.
- look at the parts of the charter that people told us were vague and ambiguous and work to make them more declarative where possible. We understand why people have asked for these changes but some of them would make parts of the charter inaccurate. We will update as many of these statements as we can to provide more clarity while also making sure that all the information in the charter is correct.

We will make these changes, and many more, that people told us would help make the charter better. Once we have made these changes we will take the charter back out to co-design to make sure these changes are the correct ones.

Wider work to make the charter effective

We frequently heard from people that the rights in the charter do not typically reflect their experience of social care, social work and community health.

People felt that unless there was wider work in the National Care Service (NCS) to deliver on the rights in the charter, then it would not be possible for the charter to be effective.

There was an emphasis on ensuring that the rights in the charter are able to be delivered including by considering the investment required to do that.

People also suggested that there should be training on the charter for NCS staff to support them to deliver the charter rights.

People felt that the charter would need to be built into NCS systems and processes and that it should be enforceable through a robust and accessible complaints process.

We are working closely with other policy areas to make sure that the charter, the complaints process and advocacy work is aligned and works together effectively.

To ensure that the rights in the charter are delivered, we will continue to work with related workstreams that are focussed on improving services and supporting the workforce to investigate how these areas can support the delivery of the charter of rights in practice.

What's next for the National Care Service

The Scottish Government remains committed to delivering a National Care Service to improve quality, fairness and consistency of provision that meets individuals' needs. We are also working to make improvements to the social care system now.

What we have learned during the summer events will inform these early improvements, as well as the future structures and policies of the NCS, including the National Care Service (Scotland) Bill.

The Bill is currently in Committee stage in the Scottish Parliament. In January 2024, MSPs will take their first vote on the general principle of the Bill. This is called Stage 1.

Over the next 18 months we will continue to co-design with people who have experience of accessing and delivering social care support to design the National Care Service.

We will be doing additional work with people from groups we know are currently under represented in our work so far.

In the meantime, we will continue to drive forward improvements across the social care sector, including improving terms and conditions for our valued workforce - making it an attractive profession and bringing even more talent into the sector.

Getting involved

We want to hear from as many voices as possible as we shape and develop the new National Care Service. If you'd like to share your experience or views, you can join our [Lived Experience Expert Panel](#). If you join the panel, you'll be invited to take part in different things like:

- surveys
- interviews
- helping come up with ideas about what the NCS could look like
- helping us understand what our research is telling us
- helping us make sure we're designing the NCS to meet everyone's needs

For more information about the National Care Service, visit gov.scot/ncs



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This publication is available at www.gov.scot

Any enquiries regarding this publication should be sent to us at

The Scottish Government
St Andrew's House
Edinburgh
EH1 3DG

ISBN: 978-1-83521-347-6 (web only)

Published by The Scottish Government, September 2023

Produced for The Scottish Government by APS Group Scotland, 21 Tennant Street, Edinburgh EH6 5NA
PPDAS1351202 (09/23)

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