

National Care Service



Regulation



Easy Read





This document is about **regulation**.

Regulation means a set of rules and standards.



We want to make a system that:

- gives the same right to care in Scotland wherever someone lives
- lets people reach the services they need
- helps people live a better life because of the care services they get



These 3 organisations work for the Scottish Government.

They are regulators and they are in charge of the regulations.



1. The Care Inspectorate

This is the national organisation which:

- registers new care services
- checks care services are doing their job well
- help services to be better



2. Scottish Social Services Council

This is the organisation which keeps a record of:

- all social workers
- all social care workers
- all early years workers

It sets standards for the social service workforce and helps workers with their training.

3. Healthcare Improvement Scotland

This is the national organisation which:



- looks at how to improve all the health services in Scotland

It was started with the Public Services Reform Act 2010.



Making regulation stronger and looking carefully at care services



The Public Services Reform Act 2010 says which enforcement powers are allowed.

Enforcement powers mean the ways that an organisation can make a change happen.



Things have changed in Scotland since 2010.

For example, more people are being supported to live at home.



This means that care workers and regulators need:

- more knowledge
- more skills



People have been asking if the enforcement powers should be improved now.



There are lots of way that the enforcement powers can be improved.

This should happen alongside:

- inspection changes
- new reviews



There are some problems with the enforcement powers.

They include these 4 problems:

1. Condition Notices

This means when a care service is told a new rule about what it can and can't do.

For example, not using some rooms in a building.

This is too slow and it takes too long.



2. Improvement Notices

This means when a care service is told it must make things better by a given date.

This is too weak. Some care services make things better for just a short time and then the problem comes back.



3. Cancelling of a service registration



Cancelling means stopping something happening.

This is when a care service is stopped from being on the register.

This is too slow. It can sometimes take months and years to happen.

4. Emergency cancellation

This is when a care service is doing a poor job and the service is stopped straight away.

The law says this must happen when there is a serious risk to someone's:

- life
- health
- wellbeing



But sometimes there are risks which are not as serious as this but still very important. At the moment these risks do not allow an emergency cancellation.



We want to know what people think about the enforcement powers as they are now.

We also want to know what people think about the ideas to change them.



We think the changes will help make social care better across Scotland.

What we want to happen

We want the National Care Service to:

- set care standards for Scotland
- make regulation documents
- help the regulator understand the care market





We also want the Scottish Social Services Council to have more powers.

They need to make sure that these workers are using the regulations:

- health care assistants
- day care of adult services staff
- personal assistants



The Scottish Social Services Council should also make sure:

- that employers are using the regulations
- that staff can get the qualifications they need
- that employers share information about workers being 'fit to practice'