



The Scottish Parliament
Pàrlamaid na h-Alba

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Kevin Stewart MSP
Minister for Mental Wellbeing & Social Care
The Scottish Parliament
Edinburgh
EH99 1SP

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RE National Care Service

Dear Kevin,

Thank you for your response to my letter regarding the National Care Service (NCS). However, I am disappointed that several of the points I raised in my initial letter were not addressed and have been concerned by several developments since then.

Firstly, I understand your point that core standards and criteria are still to be fully designed, which you say will help inform the processes that are put in place for commissioning and tendering. However, I am hugely worried about the direction of travel even at this early stage. In a matter of months, the Scottish Government has already awarded three contracts to private consultants to shape the future of the NCS, an immediate departure from your pledges that the service would be “designed around the needs of those who access services and supports the needs of the workforce”, with public servants completely bypassed.

In October, a £100,000 contract to design the NCS was awarded to PwC, a multinational company which has been repeatedly accused of financial misconduct and discriminatory labour practices over several decades. Worse, the Scottish Government failed to use its own system for procurement as it has been legally obligated to do since 2016. It was instead advertised via the UK Crown Commercial Services framework agreement, meaning only 269 suppliers could see the advert and very few of them had any experience in care delivery.

In December, a further £90,000 contract was awarded to PwC to help analyse the responses to the Scottish Government’s consultation. It is absurd that civil servants are not trusted with the responsibility to be given this task given the immense magnitude of the proposed legislation, and extremely problematic and undemocratic to outsource this public exercise to a company with a vested interest in privatisation. The announcement last week that KPMG has been awarded a £546,000 contract to map “current models” of health and social care is similarly worrying given the intention of the NCS is to better integrate social care with our publicly owned, not-for-profit NHS.

These actions suggest that the NCS is therefore an exercise in privatisation from the outset,



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despite First Minister Nicola Sturgeon's stated support for Scottish Labour's call in 2020 to "remove the profit motive" from the social care sector. This in mind, I'd like to again ask for clarification: will public sector organisations such as councils be required to bid for service such as providing care or social services? And will they have preferred bidder status? I understand engagement with stakeholders is ongoing, but can you clearly confirm whether the Scottish Government intends to also open social work, children's services, alcohol and drug services and community justice to tendering processes too?

Finally, to pick up on your point about wage and conditions, I fully understand that Fair Work First guidelines are set to inform the commissioning and procurement processes. However, these assurances will not reassure workers seeking a fair deal. As I am sure you are aware, employer recognition of trade unions is not a statutory requirement for tender under existing legislation and "alternative arrangements" are permitted. My specific question was whether the Scottish Government will solely award contracts to companies which recognise trade unions. Will the Scottish Government legislate to ensure this? And will the Scottish Government legislate to ensure that no contracts will be awarded to companies that do not apply union-negotiated rates of pay, in line with the demands of the Scottish Trades Union Congress?

Hundreds of private care home providers have collapsed over the past decade across the UK. Scottish Labour's consultation into the NCS in 2020 found 84% of those polled opposed all private involvement in Scottish social care and 90% backed greater public control of all social care. There is absolutely no evidence that the public wants to see the current private sector dominated model continue, let alone expanded on. I believe the NCS is a significant opportunity to move away from this broken system and build a universal care service in the mould of the NHS, where dignity is put before profit.

I hope you will reflect on these points and answer these important questions directly.

Yours sincerely,

Katy Clark MSP
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