

Care Reform (Scotland) Act - Briefing Document

Background

[The Care Reform \(Scotland\) Act 2025](#) contains provisions relating to data and digital which are intended to support our data and digital infrastructure across health and care in Scotland.

Chapter 1 – Digital Care Record

This chapter places a duty on Scottish Ministers to ensure that every person who receives health or a social care service in Scotland can have a digital record.

Chapter 2 – Information Sharing Schemes

This chapter contains the power for Scottish Ministers, by way of regulations, to establish a scheme for sharing information for the purpose of the efficient and effective provision of services by, and on behalf of health and social care services that are within its scope.

Civil¹ and criminal² sanctions may be introduced to encourage compliance with the information sharing scheme.

Chapter 3 – Information Standard

This provision sets out the power(s) for Scottish Ministers to produce information standards and allows Scottish Ministers to ensure information is stored, formatted, and indexed in a consistent manner, by way of an information standard.

Specified organisations and individuals captured within its scope will be required to abide by these standards, and civil sanctions may be introduced in regulations to ensure compliance.

What does this mean in practice?

The information sharing scheme will clearly set out the purpose and circumstances in which information should be shared across the health and social care sector, giving confidence to those delivering services to share information to support delivery of care.

Implementation of information standards will ensure that data is recorded in a consistent manner which will drive up data quality and interoperability, making it much easier to share data across the sector.

The Act states that Ministers must use their powers for information sharing and information standards to support delivery of a Digital Health and Care Record for anyone who receives health or social care services. The Digital Health and Care Record will allow both individuals and those delivering health and care services to access, update and share data across health and social care services, regardless of organisational boundaries. For individuals it will enable them to view, interact and contribute to their health and social care information through an online app, enabling

¹ Civil sanctions are enforcement tools that allow authorities to ensure compliance with the law without resorting to criminal prosecution.

² Criminal sanctions are legal penalties imposed on those who are found guilty of violating criminal laws

them to provide preferences and share their information with those involved in their care, giving them more control over managing their health and wellbeing and reduce the need for people to have to re-tell their story.

For those delivering care it enables a personalised view of health and care information that is relevant to their role saving time and improving decision making and delivery of care, it also enables data to be shared across the sector ensuring access to the right data at the right time enabling better co-ordination of care, reducing duplication and administrative burden.

Stakeholder Engagement

Work has commenced to prepare and introduce the secondary legislation in relation to Part 1 of the Act. We would now like to host interactive workshops to obtain your views on our initial findings to help inform further development of the policy. Indicative questions that may be asked during workshops include:

Questions

- What information do you not currently get that you need to be captured in a Digital Health and Care Record?
- What **specific** information is **essential** for a Digital Health and Care Record?
- What are your initial views on proposed approach to civil sanctions?