

## Response ID ANON-G48G-9PPH-U

Submitted to National Care Service (Scotland) Bill (Stage 2) - Your views on draft amendments  
Submitted on 2024-08-20 09:18:59

### About you

1 Please read the privacy notice below and tick the box below to show that you understand how the data you provide will be used as set out in the policy.

I have read and understood how the personal data I provide will be used.

2 How your response will be published

I would like my response to be published in its entirety

3 What is your name?

Name:  
Elinor Jayne

4 What is your email address?

Email:  
shaap.director@rcpe.ac.uk

5 Are you responding as an individual or on behalf of an organisation?

Organisation

### Organisation details

1 Name of organisation

Name of organisation:  
Scottish Health Action on Alcohol Problems (SHAAP)

2 Information about your organisation

Please add information about your organisation in the box below:

Scottish Health Action on Alcohol Problems (SHAAP) is a partnership of the Medical Royal Colleges and the Faculty of Public Health in Scotland and is based at the Royal College of Physicians of Edinburgh (RCPE).

Using the best available evidence, SHAAP provides the authoritative clinical voice on how policy makers and clinicians can reduce alcohol-related harms in Scotland.

### Supplementary Information

#### National Care Service strategy

1 What is your view of the proposed National Care Service strategy (see proposed new sections 1A to 1E)?

Tend to support

Please use the text box below to expand on your answer :

Similarly to when the Bill was first introduced, it is not clear how alcohol treatment, care and support commissioned by Alcohol and Drug Partnerships or provided elsewhere within the NHS will be impacted by the amended legislation, should the amendments be approved by Parliament. However, in relation to a proposed National Care Service (NCS) strategy, on balance it seems sensible to set a national direction based on the NCS principles. The principles would allow for consideration of how the needs of people with alcohol problems could be addressed by the NCS, given two are about embedding human rights and increasing equality, and people with alcohol problems are often stigmatised, with people who are alcohol dependent specifically excluded by the Equalities Act 2010. This would be an opportunity to right that wrong, but the Bill as it currently stands does not directly address alcohol service provision.

#### National Care Service Board

2 What is your view of the proposal to create a National Care Service Board, and the provisions about the role and functions of the Board (see in particular new Chapter 1B of Part 1, and new schedule 2C)?

Undecided / no opinion

Please use the text box below to expand on your answer :

As this is not directly relevant to the provision of alcohol services, SHAAP does not take an overall view but does take a view on the intention for the NCS Board to take responsibility for national commissioning and procurement of complex and specialist social care services, including prison social care. This is an opportunity to ensure a consistent and adequately resourced approach to prison throughcare which is particularly important for people in prison who have an alcohol problem. However, given there is still no clarity on how alcohol treatment and services will be impacted by the Bill, there is a lot more detail to be developed here to ensure a holistic approach to the care of people in and leaving prison who have alcohol problems. The new Schedule 2 allows the formation of NCS Board committees and sub-committees and we would urge one such committee to be established to examine how people with alcohol problems will be included within the orbit of the National Care Service, commission a needs assessment and then set out how service provision will be improved, and how this will be measured.

### Creation of local boards and removal of other integration models

3 What is your view of the proposal to establish National Care Service local boards and to remove other integration models (see in particular Chapter 1A of Part 1, and new schedules 2A and 2B)?

Undecided / no opinion

Please use the text box below to expand on your answer :

SHAAP takes no view on this change, given the lack of clarity on how the new structures will impact alcohol treatment and support.

### Monitoring and improvement and commissioning

4 What is your view of the proposed new provisions on monitoring and improvement (see new sections 12K and 12L) and on commissioning (see new section 12M)?

Undecided / no opinion

Please use the text box below to expand on your answer :

SHAAP takes no view on this change, given the lack of clarity on how the new structures will impact alcohol treatment and support.

Undecided / no opinion

Please use the text box below to expand on your answer :

SHAAP takes no view on this change, given the lack of clarity on how the new structures will impact alcohol treatment and support.

### National Chief Social Work Adviser and the National Social Work Agency

5 What is your view of the proposed new provisions to designate a National Chief Social Work Adviser and for the creation of a National Social Work Agency (see new section 26A)?

Undecided / no opinion

Please use the text box below to expand on your answer :

SHAAP takes no view on this change, given the lack of clarity on how the new structures will impact alcohol treatment and support.

### Amendments to the Public Bodies (Joint Working) (Scotland) Act 2014

6 What is your view of the proposed amendments to the Public Bodies (Joint Working) (Scotland) Act 2014, as set out in the marked up version of the Act?

Undecided / no opinion

Please use the text box below to expand on your answer :

SHAAP takes no view on these changes, given the lack of clarity on how the new structures will impact alcohol treatment and support.

### Areas of further work

7 What is your view of the Scottish Government's proposed approach to addressing the areas of further work outlined in the Minister's covering letter?

Tend to oppose

Undecided / no opinion

Undecided / no opinion

Undecided / no opinion

Please use the text box below to expand on your answer referring to the specific areas of further work that you are commenting on:

It is disappointing and surprising, given the opportunity the NCS affords in relation to improving care and support for people with alcohol problems, that even in the section in the letter outlining "Areas of Further Work", there is no mention of alcohol services. This seems to be an oversight and perhaps demonstrates a lack of priority being given to this vital area.

Given the prevalence of alcohol problems amongst people in the justice system, whatever option is taken forward to include justice social work in the NCS must take cognisance of how closely these services should work with alcohol treatment and support services. Whichever option is pursued by the government must improve integration of justice social work with alcohol treatment and support services, and not result in fragmentation.

## Draft National Care Service Charter

### 8 What is your view of the initial draft of the National Care Service Charter?

Undecided / no opinion

Please use the text box below to expand on your answer :

The draft Charter, despite lack of clarity on the implications of the NCS for alcohol treatment and support, states "Sometimes people who use or have used drugs or alcohol can be treated unfairly and may find it harder to get help. You can expect to be treated with dignity and respect, and helped to get the support you need." This is welcome and indicates that the Scottish Government intends to address the issue of provision of services for people with alcohol (and drugs) problems. The Scottish Government is also currently developing a Charter of Rights for people affected by alcohol and drugs, so the interplay between both of these charters needs to be taken into account so that people with alcohol problems are better able to access appropriate treatment and support.

## Other comments

### 9 Do you have any other comments on the Scottish Government's proposed draft Stage 2 amendments to the National Care Service Bill?

Please use this text box to provide your answer:

- The Public Bodies (Joint Working) Act regulations require "services provided in a hospital in relation to an addiction or dependence on any substance" to be delegated from the NHS to the Integration Authority, while "services provided out with a hospital in relation to an addiction or dependence on any substance" may be delegated to an integration authority. While the Scottish Government Memorandum on the NCS Bill policy intention focuses on translating this same approach to the delegation of services to the NCS, SHAAP would highlight that this inconsistency between hospital and non-hospital services, and lack of understanding that many people with alcohol problems but not necessarily dependent still require treatment and support, should both be addressed by the NCS. Only this way will services become more effectively integrated and also have more of a prevention focus by including people who have a problem with alcohol but who are not yet dependent. It is noted that a definitive list of which community health services are in scope is going to be written into secondary legislation so SHAAP would like consideration to be given to alcohol services at this stage.
- In the Memorandum, the Scottish Government states that within its vision for the NCS, the NCS national and local boards "will play a key role in existing joint-planning arrangements such as Community Planning Partnerships, Community Justice Partnerships, Children's Services Planning, and Alcohol and Drugs Partnerships." In the Background section, the Memorandum notes that social services support many groups of people including those with "substance use" problems. Later in the document, it is noted that "The creation of the NCS provides an opportunity to reform how [alcohol and drugs] services are provided and commissioned – to help deliver on the National Mission and to save and improve lives." Despite this recognition of how intrinsic the NCS reforms are to the provision of alcohol services, there is no detail in the Bill, draft charter or elsewhere that makes clear how these services will be affected and more importantly, how this will benefit people with alcohol problems. It also fails to recognise that the National Mission is focused on reducing deaths of people who use drugs – there is no equivalent approach to reducing the extremely high levels of deaths of people with alcohol problems.
- The NCS is a significant opportunity to improve care and support for people with alcohol problems. Bearing in mind the fall in alcohol treatment numbers and increase in number of lives being lost to alcohol, SHAAP believes that one of the first priorities for the newly formed NCS Board, should the reforms go ahead, should be to establish a committee focused on alcohol services. This should examine how people with alcohol problems will be included within the NCS, commission a needs assessment and then set out how service provision will be improved, how this will be measured and how NCS local boards and the NCS Board itself will be held to account for improving outcomes for people with alcohol problems.