Finance Committee
Health (Tobacco, Nicotine etc. and Care) (Scotland) Bill
Submission from Angus Council

Response

Consultation

1. Did you take part in any consultation exercise preceding the Bill and, if so, did you comment on the financial assumptions made?

No. We have submitted responses to the individual consultations on Duty of Candour and Offence of Wilful Neglect and Ill Treatment.

2. If applicable, do you believe your comments on the financial assumptions have been accurately reflected in the FM?

N/A.

3. Did you have sufficient time to contribute to the consultation exercise?

Yes.

Costs

4. If the Bill has any financial implications for your organisation, do you believe that they have been accurately reflected in the FM? If not, please provide details.

Part 1 - Broadly, financial implications are probably fairly accurate, as far as it is possible to ascertain.

Part 2 - We agree and do not anticipate additional cost to the local authority arising from disclosure, apology and review. We welcome the initial resource for training and implementation to ensure that the duty is understood fully by all partners. We anticipate a multi-agency approach to training/information of the duty would work best and support partner organisations in social care. It is also important to ensure public awareness is raised to build trust of service uses and carers.

Part 3 - We agree there are no costs for the local authority.

5. Do you consider that the estimated costs and savings set out in the FM are reasonable and accurate?

Part 1 - Trading Standards within Angus Council believes the estimates to be broadly accurate and in line with expectations.
Part 2 – Yes.

Part 3 - N/A.

6. If applicable, are you content that your organisation can meet any financial costs that it might incur as a result of the Bill? If not, how do you think these costs should be met?

Part 1 - Angus Council was allocated £37,400 as a result of the Tobacco and Primary Medical services Act 2010 (recurring). This is used within the Trading Standards budgets to deliver enforcement and advice.

Part 2 – Yes.

Part 3 - N/A.

7. Does the FM accurately reflect the margins of uncertainty associated with the Bill’s estimated costs and with the timescales over which they would be expected to arise?

Part 1 - Broadly, yes, this looks fair, if we were to receive our proportion of the allocation.

Part 2 - Cost of support is difficult to assess due to the unpredictable support that may be required. We are unable to offer alternate calculations therefore agree with the proposal.

Part 3 - N/A.

Wider Issues

8. Do you believe that the FM reasonably captures any costs associated with the Bill? If not, which other costs might be incurred and by whom?

Part 1 - Proxy sales and the enforcement generally of age-restricted sales are resource-hungry, in terms of money, recruitment, staff time and training. This has the potential to generate significant on-costs.

9. Do you believe that there may be future costs associated with the Bill, for example through subordinate legislation? If so, is it possible to quantify these costs?

Part 1 - There may well be but this is impossible to quantify in the current situation as we do not know yet what any future subordinate legislation might be.