Finance and Constitution Committee Questionnaire

This questionnaire is being sent to those organisations that have an interest in, or which may be affected by the Health and Care (Staffing) (Scotland) Bill’s Financial Memorandum (FM).

In addition to the questions below, please add any other comments you may have which would assist the Committee’s scrutiny of the FM.

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 but a joint response from the IJB Chief Officer’s Group was submitted.

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?

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.

The financial estimates focus on the development of tools and infrastructure and assume that there will be no additional costs for increased staffing. This seems to be an optimistic position, particularly in the social care sector.

There is a risk that an industry will build up around development and maintenance of these tools that will divert resources away from the priority areas. For social care, there is legislation in place which questions whether a further tool is actually required or not.

The are potentially significant implications for commissioners and providers of social care. The work required in this area in particular could have an impact on HSCPs but this is not really recognised.
5. Do you consider that the estimated costs and savings set out in the FM are reasonable and accurate?

A reasonable approach has been taken to estimating the costs associated with the development and use of a tool.

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?

Too early to tell.

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?

The impact on smaller providers in adult social care could be more significant than estimated – it may not be easy for these providers to redesign services etc to meet the staffing levels.

The potential impact on the National Care Home Contract has not been recognised.

Lack of clarity around LAs/HSCPs in terms of ensuring providers meet requirements and what is expected – this could have resource implications depending on the requirements, in terms of staff time etc.

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?

See comments above. An estimate of the impact of a tool would be required.

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?

The extent of the legislation seems open-ended in that Scottish Ministers could extend the reach of the legislation 'should the need arise'.