Dear Councillor Johnston

THE GOVERNANCE OF THE NHS IN SCOTLAND – ENSURING DELIVERY OF THE BEST HEALTHCARE FOR SCOTLAND

Thank you for your letter of 29 August regarding the Health and Sport Committee’s report “The Governance of the NHS in Scotland- ensuring delivery of the best healthcare for Scotland”.

Your letter raises specific concerns with the recommendation in our report regarding the Staff Governance Standard.

You detail that Integration Authorities are not themselves employers and it is simplistic to recommend that uniform application of the NHS staff governance standard would be desirable given the variety of employers delivering social care. Later in your letter you argue that good staff governance should incorporate flexibility to facilitate local issues being dealt with locally, without over-reliance on ‘one-size fits all’ or top-down approaches.

The views you have expressed appear to differ from those provided by the Scottish Government during our inquiry. As detailed in our inquiry report we asked the then Cabinet Secretary for Health and Sport if there were any plans to have a single governance standard for health and social care staff. In response she detailed there
had initially been some sensitivities regarding one system being seen to impose its approach on another. Adding; the merits of the staff governance principles have been recognised by Integration Authorities with a gradual adoption of staff governance across a number of Integration Authorities. She stated that the expectation was that more would follow.

While we understand COSLA’s point about the mixed economy of social care providers, we are not convinced this prohibits the adoption of a staff governance standard as something to aspire to across the sector. There are other examples of common approaches and standards required of the many providers in the social care sector, not least, the health and social care standards. The current staff governance standard recognises the non-NHS partners involved in the delivery of health care and calls for “the ethos of the Staff Governance Standard [to] be reflected in the arrangements with private and independent contractors, and partner agencies”. We believe this approach would be a starting point worthy of consideration in social care.

There has been pursuit and establishment of a single approach to staff governance across the whole of the NHS it would be helpful if you had set out the reasons why COSLA considers there should not be the same consistency for local authorities. Given the relationships between NHS boards, local authorities and integration authorities it would also have been helpful to hear from COSLA how local authorities consider consistency can be encouraged without broadly similar governance standards being applied across all three sectors.

In your letter you also highlight disappointment the recommendation regarding the staff governance standard was made without having taken any evidence from COSLA, individual councils, trade unions that represent your workforce or the independent and voluntary sectors as employers of the social care workforce.

COSLA and local government were provided with several opportunities to engage with our inquiry but no submissions were received.

During our inquiry we issued three separate calls for written views on the staff, clinical and corporate governance of the NHS. These were general calls for views open to all and also included further targeted contact with the Committee’s key stakeholders (including COSLA and local authorities) to encourage engagement. Whilst some responses were received from the third sector and trade unions we were disappointed not to receive any written responses from local authorities or COSLA despite providing an opportunity for engagement. The Committee draws upon its written submissions to determine who it wishes to hear from in formal oral evidence sessions.

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It is helpful to have received the views of COSLA. However, it would have been immensely more useful to have received these during the course of the Committee’s 18-month long inquiry rather than post publication of our report. We are keen to ensure our scrutiny of health and social care policy is robust and recognise the importance of on-going engagement with all stakeholders to deliver this, I hope therefore COSLA will become involved at an appropriate time in our future work.

Yours sincerely

Lewis Macdonald
Convener, Health and Sport Committee