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Health, Social Care and Sport Committee

Annual Report of the Health, Social Care, and Sport Committee 2022-23



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Contents

Introduction	1
Membership changes	1
Meetings	2
Legislation	3
Primary legislation	3
National Care Service (Scotland) Bill	3
Patient Safety Commissioner for Scotland Bill	5
Subordinate legislation	6
Legislative Consent Memorandum	7
Inquiries	8
Short scrutiny sessions	8
Social care update	8
Winter planning 2022-23	8
Experiences of health and social care integration	8
Food Standards Scotland	9
NHS Boards periodic scrutiny	9
Alternative pathways into primary care	9
Health and wellbeing of children and young people	9
Health inequalities	10
Budget scrutiny 2023-24	11
Inquiry into female participation in sport and physical activity	11
Experiences of the Complex Mesh Surgical Service	12
Engagement	13
National Care Service	13
Health inequalities	14
Female participation in sport and physical activity	15
Cross Committee working	16
Reducing drug deaths in Scotland and tackling problem drug use	16
Petitions	17

Health, Social Care and Sport Committee

To consider and report on matters falling within the responsibility of the Cabinet Secretary for Health and Social Care and matters relating to drugs policy.



hscs.committee@parliament.scot

Committee Membership



Convener
Clare Haughey
Scottish National Party



Deputy Convener
Paul Sweeney
Scottish Labour



Stephanie Callaghan
Scottish National Party



Sandesh Gulhane
Scottish Conservative
and Unionist Party



Emma Harper
Scottish National Party



Gillian Mackay
Scottish Green Party



Carol Mochan
Scottish Labour



David Torrance
Scottish National Party



Evelyn Tweed
Scottish National Party



Tess White
Scottish Conservative
and Unionist Party

Introduction

1. This annual report covers the work of the Health, Social Care and Sport Committee over the period of 13 May 2022 to 12 May 2023.
2. The role of the Committee is to consider and report on matters falling within the responsibility of the Cabinet Secretary for Health and Social Care and matters relating to drugs policy.

Membership changes

3. There were four membership changes in the reporting year:
 - On 25 May 2022, Sue Webber MSP was replaced by Tess White MSP.
 - On 19 January 2023, Carol Mochan MSP was replaced by Paul Sweeney MSP.
 - On 18 April 2023, Gillian Martin MSP was replaced by Clare Haughey MSP.
 - On 25 April 2023, Paul O'Kane MSP was replaced by Carol Mochan MSP.

Meetings

4. The Committee held 37 meetings over this period. 4 meetings were held fully in private, 2 fully in public, and 31 were public meetings with private agenda items. Private items were predominantly consideration of evidence, the Committee's work programme and draft reports.



Source: Scottish Parliament

Legislation

Primary legislation



Bills scrutinised

Source: Scottish Parliament

National Care Service (Scotland) Bill

5. The Scottish Government introduced the [National Care Service \(Scotland\) Bill](#) on 20 June 2022.
6. The Scottish Government describes the purpose of the Bill as being "to improve the quality of social work and social care services in Scotland". By bringing forward proposals for the creation of a National Care Service, the Scottish Government aims to make sure that these services are offered in the same way and at the same standard throughout Scotland.
7. The Bill as introduced allows Scottish Ministers to transfer responsibility for social work and social care from local authorities to a new, national service, under their direct control. Social care, social work and community health services would be planned and delivered by new care boards. The national care service, like services organised by integration authorities now, could include adult and children's services, as well as areas such as justice social work. The Scottish Government would need to consult the public before transferring children's services or justice social work responsibilities.
8. Scottish Ministers will also be able to transfer healthcare functions from the NHS to the National Care Service. Care or health services that are transferred could be delivered nationally or locally by care boards. New 'special' care boards, not based on geographic boundaries, could also be established to provide specialised national

services.

9. As well as establishing the National Care Service, the Bill proposes other changes including:
 - allowing information to be shared by the National Care Service and the NHS;
 - introducing a right to breaks for carers;
 - giving rights to people living in adult care homes to see the people important to them (known as "Anne's Law").
10. The Committee issued a call for written views and Your Priorities digital consultation on the Bill on 8 July 2022, which ran until 2 September 2022. The call for written views received [215 responses](#). More than 150 users took part in the online discussion via the [Your Priorities digital consultation](#), providing over 300 comments on provisions in the Bill and over 550 ratings.
11. The Committee took extensive oral evidence on the Bill at Stage 1 over the course of nine meetings between 25 October and 20 December 2022.
12. On 8 March 2023, following a request from the Scottish Government, it was agreed that the deadline for completion of Stage 1 consideration of the National Care Service (Scotland) Bill would be delayed until 30 June 2023.
13. [On 17 April 2023](#), the newly appointed Minister for Social Care, Mental Wellbeing and Sport wrote to the Committee outlining her intention "that the Minister for Parliamentary Business will seek Parliament's approval, via parliamentary Bureau, to extend the Stage 1 deadline beyond June" and "to use the time ahead of the Stage 1 debate to find compromise and reach consensus with those who have raised concerns during the Stage 1 scrutiny undertaken so far".
14. At its [meeting on 9 May](#), the Committee took evidence from the Minister for Social Care, Mental Wellbeing and Sport regarding her proposal to extend the Stage 1 deadline beyond June and the Scottish Government's plans for further engagement on the Bill over the summer period.

Formal Committee meeting at the William Quarriers Conference Centre in Glasgow



Source: Scottish Parliament

Patient Safety Commissioner for Scotland Bill

15. The Scottish Government introduced the [Patient Safety Commissioner for Scotland Bill](#) on 6 October 2022.
16. The purpose of the Bill is to establish a new Parliamentary Commissioner, the Patient Safety Commissioner for Scotland, independent of the NHS and government. The Bill establishes the office of the Commissioner and provides for its purposes to:
 - Identify patient safety issues in the provision of healthcare in Scotland
 - Amplify the voices of patients in relation to these safety issues
 - Make recommendations to address the safety issues identified
17. The Commissioner's remit will cover all healthcare providers operating in Scotland, including NHS, NHS-contracted and independent healthcare providers.
18. The Committee issued a call for evidence which ran between 26 October 2022 and 14 December 2022 and received [54 written responses](#). To inform Stage 1 scrutiny of the Bill the Committee held the following evidence sessions—

Evidence sessions

Meeting date	Theme
31 January 2023	Baroness Julia Cumberlege, Chair of the Independent Medicines and Medical Devices Safety Review.
7 February 2023	<ul style="list-style-type: none"> Representatives from patients and patient groups. Organisations relating to patient safety.
21 February 2023	<ul style="list-style-type: none"> Representatives of industry bodies and professional organisations. Patient Safety Commissioner for England.
14 March 2023	The then Minister for Public Health, Women's Health and Sport

Source: Scottish Parliament

19. The Committee published its [Stage 1 Report](#) on the Bill on 28 April 2023. The Minister for Public Health and Women's Health [responded on 9 May 2023](#). The Stage 1 debate took place in the Chamber on [Wednesday 10 May 2023](#).
20. The Committee will undertake Stage 2 scrutiny in June 2023.

Subordinate legislation

21. During the reporting year, the Committee considered 27 pieces of subordinate legislation:
 - 20 negative instruments
 - 5 affirmative instruments
 - 2 instruments laid under the European Union (Withdrawal) Act 2018



SSIs considered

Source: Scottish Parliament

Legislative Consent Memorandum

22. At its meeting on 9 May 2023, the Committee considered a [legislative consent memorandum on the Powers of Attorney Bill](#).

Inquiries

Short scrutiny sessions

Social care update

23. At its meeting on 17 May 2022, the Committee took evidence from the Minister for Mental Wellbeing and Social Care on social care in Scotland.
24. The session was informed by a [briefing on Social Care](#), published by Audit Scotland and the Accounts Commission in January 2022, an [analysis of consultation responses](#) to the National Care Service consultation, published by the Scottish Government on 10 February 2022 and a [letter from the Public Audit Committee](#) dated 5 May 2022 which highlighted areas for potential further scrutiny related to the aforementioned briefing on Social Care.

Winter planning 2022-23

25. At its meeting on 27 September 2022, the Committee held two evidence sessions on winter preparedness and winter plans for the NHS and Social Care with the purpose of exploring what planning had taken place to ensure the safe and effective operation of health and social care services over the 2022-23 winter period.
26. The Committee took evidence from:
 - Caroline Lamb, Chief Executive of NHS Scotland and Director-General, Health and Social Care;and subsequently from:
 - NHS Grampian;
 - NHS Greater Glasgow and Clyde; and
 - NHS Dumfries and Galloway.

Experiences of health and social care integration

27. At its meeting on 4 October 2022, the Committee took evidence from stakeholders discussing experiences of the process of integration of health and social care in Scotland to date, with a specific focus on social care.
28. The purpose of this meeting was to understand and reflect on what has worked well for integration authorities, what has been challenging, and what lessons could be learned ahead of the Committee's formal scrutiny of the National Care Service (Scotland) Bill.

Food Standards Scotland

29. At its meeting on 24 January 2023, the Committee took evidence from Food Standards Scotland (FSS), as the new public sector food body for Scotland.
30. The purpose of this meeting was to take evidence from FSS on a variety of topics related to their current work programme and most recent [annual report](#), including their role in the areas of food safety, Scotland's diet, Brexit, and the [Good Food Nation \(Scotland\) Act 2022](#).

NHS Boards periodic scrutiny

31. At its meeting on 17 January 2023, the Committee agreed to invite a series of frontline NHS boards to give evidence on their performance, financial sustainability and recovery from the COVID-19 pandemic as well as key issues related to workplace culture and workforce.
32. For the purposes of this exercise, frontline NHS boards were determined as comprising Scotland's 14 territorial boards as well as the Scottish Ambulance Service, NHS24, the Golden Jubilee Hospital and the State Hospital.
33. It was agreed that these evidence sessions would be scheduled as and when other work programme commitments allow. It was further agreed that this scrutiny would be informed, in the specific case of the 14 territorial boards, by the [NHS board performance escalation framework](#) and by Audit Scotland's [NHS in Scotland 2022 report](#).

Alternative pathways into primary care

34. This inquiry explored the different ways patients access primary healthcare services in Scotland. The Committee undertook various forms of evidence gathering in 2022.
35. The Committee's report, [Alternative pathways into primary care](#), was published on 17 June 2022. The Cabinet Secretary for Health and Sport issued a [response](#) to the report on 16 August 2022. The Committee held a chamber debate on the inquiry on [10 November 2022](#).

Health and wellbeing of children and young people

36. This inquiry explored key issues affecting the health and wellbeing of children and young people including:
 - Child poverty (including the Scottish Government's current child poverty delivery plan), inequality and adverse childhood experiences
 - Issues affecting care experienced young people;
 - Mental health, access to Child and Adolescent Mental Health Services and the

importance of early intervention; and

- Health and wellbeing in schools.
37. Written and oral evidence was gathered during 2021 and early 2022, with the Committee's report, [Health and Wellbeing of Children and Young People](#), being published on 13 May 2022.
 38. A [chamber debate](#) on the inquiry was held on 15 June 2022 before a [joint Ministerial response](#) from the Minister for Children and Young People and the Minister for Mental Wellbeing was received on 11 July 2022.

Health inequalities

39. The Committee's predecessor conducted an [inquiry into health inequalities](#) and reported, in 2015, that work to tackle health inequalities would not be successful without action to reduce inequalities in every other policy area and across every portfolio. The Committee agreed with our predecessor Committee's conclusion that cross-portfolio actions are needed to address health inequalities.
40. This inquiry explored what progress had been made towards tackling health inequalities since our predecessor published its report, particularly focusing on the impact of the Covid-19 pandemic and the increasing cost of living. The Committee was further keen to sustain a collaborative approach and this inquiry was designed to explore cross-portfolio issues and action.
41. The Committee gathered written and oral evidence between February and June 2022. The Committee undertook a series of informal engagement sessions on 20 and 23 May 2022 to help understand individuals' experiences in relation to health inequalities. An [anonymised summary](#) of points raised during these sessions was produced to inform oral evidence sessions. This was followed by formal evidence sessions:

Evidence sessions

Meeting date	Theme
24 May 2022	Recent work to tackle, and progress in addressing, health inequalities since 2015.
31 May 2022	The impact of the pandemic.
14 June 2022	Stakeholder session informed by informal engagement events on 20 and 23 May 2022.
21 June 2022	Policy options in Scotland.
28 June 2022	The then Minister for Public Health, Women's Health and Sport.

Source: Scottish Parliament

42. The Committee's report, [Tackling health inequalities in Scotland](#), was published on 28 September 2022. The report made recommendations for local Government, Scottish Government and the UK Government, as well as recommendations to ensure that the Scottish Parliament sustains a focus on health inequalities across all portfolios.
43. The Committee received a [response](#) from the Cabinet Secretary for Health and Social Care on 28 November 2022. The Parliament [debated the report](#) on 14

December 2022.

Budget scrutiny 2023-24

44. To inform its pre-budget scrutiny for 2023-24, the Committee issued a [call for views](#) on 29 June 2022 which ran until 24 August 2022 and received [20 responses](#).
45. On 20 September 2022, the Committee took evidence from:
 - Professor David Bell, The University of Stirling;
 - Leigh Johnston, Audit Scotland;
 - Professor Alistair McGuire, London School of Economic and Political Science; and
 - Raphael Wittenberg, The University of Oxford.
46. On 27 October 2022, the Committee [wrote to the Cabinet Secretary for Health and Social Care](#) highlighting a number of issues arising from its pre-budget scrutiny.
47. The Scottish Government published its [2023-24 Budget](#) on 15 December 2022 and [the Cabinet Secretary for Health and Social Care responded](#) to the Committee's pre-budget scrutiny letter on that same date.
48. The Committee concluded this budget scrutiny exercise by taking evidence from the Cabinet Secretary for Health and Social Care at its meeting on [10 January 2023](#).

Inquiry into female participation in sport and physical activity

49. The Committee's inquiry into the health and wellbeing of children and young people highlighted a significant decline in participation of girls in sport and physical activity as they reach adolescence which can result in a negative impact on their physical health and mental wellbeing.
50. This inquiry focused on female participation at both community and elite level and sought to identify barriers to participation, including the intersectionality of additional barriers to participation, such as ethnicity and disability. The Committee aimed to identify actions that should be taken to help increase the numbers of women and girls participating in sport and physical activity, and crucially what can be done to ensure they are able to remain active and engaged throughout their lives.
51. The Committee issued a call for views on 30 September 2022 and received [222 responses](#). Colleagues in SPICe produced a [Summary of Responses](#) which was published on 7 February 2023.
52. A [video submission](#) was submitted to the Committee by Daisy Drummond on the challenges young women face in sport, undertaken as part of Daisy's media studies

exam. A [text transcript](#) of the video was also produced.

53. The Committee held the following evidence sessions in this reporting year:

Meeting date	Theme
14 March 2022	Young Women Lead Committee, The Young Women's Movement
21 March 2022	Community sport and recreational activity
28 March 2023	Children and young people
18 April 2023	Elite sport
25 April 2023	Media and broadcasting

Source: The Scottish Parliament

54. The Committee will continue oral evidence in the remainder of 2023.

Experiences of the Complex Mesh Surgical Service

55. During the Committee's scrutiny of the Transvaginal Mesh Removal (Cost Reimbursement) (Scotland) Bill in late 2021 and early 2022, the Committee were concerned to hear issues raised by women in relation the Complex Mesh Surgical Service (CMSS). The Committee agreed to undertake specific follow-up scrutiny of the Service.
56. The Committee issued a call for views between February and March 2023 to help understand individuals' experiences based on their interaction with the service so far. Colleagues in SPICe produced an [anonymised summary of responses](#), published on 20 April 2023.
57. During this reporting year, the Committee took oral evidence on [2 May 2023](#) from a representative from the CMSS, NHS National Services Scotland, Senior Medical Advisor from the Scottish Government, and a representative from the Scottish Government's mesh complications working group.
58. The Committee will continue oral evidence in May 2023.

Engagement



Source: Scottish Parliament

National Care Service

59. As part of its scrutiny of the National Care Service (Scotland) Bill, the Committee has undertaken a number of informal engagement activities, namely:
- On 12 October 2022, a workshop on proposals for a National Care Service at the Voluntary Health Scotland Annual Conference in Glasgow;
 - On 14 November 2022, a visit to Aberdeen including a roundtable discussion with members of the Granite Care Consortium, an informal discussion over lunch with people in receipt of care at Inspire HQ and a visit to Tigh A'Chomainn Camphill Community in Peterculter including a roundtable discussion with representatives of Camphill Community;
 - On 21 November 2022, a visit to Dumfries where Committee Members had an opportunity to discuss proposals for a National Care Service with a range of stakeholders including care providers, third sector organisations and representatives of the local community;
 - On 5 December, a visit to Glasgow including a roundtable discussion with members of the Coalition of Care and Support Providers in Scotland and lunch and informal engagement with frontline staff and service users at Key;
 - Two online engagement events where Members of the Committee engaged with a range of social care providers, staff working in social care and those in receipt of social care services.

Committee Members meeting with staff and service users at Key, Glasgow.



Source: Scottish Parliament

Health inequalities

60. As part of its inquiry into health inequalities, the Committee undertook a series of four informal engagement events on 20 and 23 May 2022. The events were intended to help the Committee understand people's experiences in relation to health inequalities, and were centred on the following themes:
- Employment and fair work
 - Equalities and human rights
 - Local government, housing and planning
 - Social justice and social security
61. The Committee worked with [Voluntary Health Scotland](#) to establish and facilitate these engagement events, which enabled Committee members to engage with people with lived experience, as well as 48 organisations, the majority of which were from the third sector. The Committee published an [anonymised summary](#) of points raised during these events, which went on to inform formal evidence sessions.

Female participation in sport and physical activity

62. To further inform the Committee's scrutiny of female participation in sport and physical activity the Committee undertook informal engagement in Dunfermline on 13 March 2023.
63. The Committee met with the Scottish Sports Association Leadership Group to discuss what issues, if any, do women and girls face in the sports represented and how any issues could be overcome. The Scottish Sports Association (SSA) brings Scottish Governing Bodies of sport together with a wide range of partners with the aim of ensuring that sports policies, and those that impact on sport, work in harmony so as to be most effective in practice.
64. The Committee then visited the [Fighting Chance Judo Project](#) at Carnegie Judo which is "dedicated to helping disadvantaged or disengaged young people realise their potential through sharing with them the values of judo".
65. Finally, the Committee visited [Dunfermline Reign Basketball Club](#) to speak with the women and girls taking part in the group.
66. Carnegie Judo and Dunfermline Reign are part of the St Columbus and Woodmill Sports Hub, serving the local communities in Touch, Abbeyview and Halbeath, including low SIMD areas.

Cross Committee working

Reducing drug deaths in Scotland and tackling problem drug use

67. On 24 November 2022 and 22 March 2023, Members of the Criminal Justice, Health, Social Care and Sport, and Social Justice and Social Security committees held joint evidence sessions to consider the Scottish Government's future plans, in particular its National Mission and the work of the recently established National Drugs Mission Oversight Group, and its response to the final report of the Scottish Drug Deaths Taskforce.

Petitions

68. The Committee considered four petitions referred to us during the course of this reporting year. Three petitions were closed. The Committee agreed to defer further consideration of PE1924 until after the Best Start North Review has concluded.

Petition number and title	Current status
PE1845: Agency to advocate for the healthcare needs of rural Scotland	Closed
PE1890: Find solutions to recruitment and training challenges for rural healthcare in Scotland	Closed
PE1915: Reinstate Caithness County Council and Caithness NHS Board	Closed
PE1924: Complete an emergency in-depth review of Women's Health services in Caithness & Sutherland	Open

Source: Scottish Parliament



4 Petitions
considered

Source: Scottish Parliament

