

Motion

S3M-4738 Margaret Mitchell: Deafblind Scotland—That the Parliament welcomes the work of Deafblind Scotland, which seeks to enable Scots who are both deaf and blind to receive the support and recognition that they require to be equal citizens; notes with concern the difficulties faced by deafblind people in freely accessing public transport due to the varying restrictions placed by local authorities on concessionary travel for that guide communicators who provide professional communication and guiding support, and therefore believes that all relevant bodies must work together to ensure deafblind citizens can enjoy full access to public transport.

Supported by: Mike Pringle*, Sandra White*, Jackson Carlaw*, Nanette Milne*, Elizabeth Smith*, John Scott*, Jamie McGrigor*, John Lamont*, Bill Aitken*, Karen Gillon*, Bill Kidd*

<http://www.scottish.parliament.uk/business/motionsAndAmendments/motions.htm>

Questions

Mental Health

Jackie Baillie (Dumbarton) (Lab): To ask the Scottish Executive whether it will outline the composition and operation of the Mental Health Tribunal for Scotland. (S3W-26240)

Jackie Baillie (Dumbarton) (Lab): To ask the Scottish Executive whether there is lay representation on the Mental Health Tribunal for Scotland. (S3W-26241)

Jackie Baillie (Dumbarton) (Lab): To ask the Scottish Executive who monitors the work of the Mental Health Tribunal for Scotland. (S3W-26242)

Nicola Sturgeon: This information is available on the Mental Health Tribunal for Scotland's website at www.mhtscotland.gov.uk.

Robert Brown (Glasgow) (LD): To ask the Scottish Executive what it is doing to address failures to comply with Part 5 of the Adults with Incapacity (Scotland) Act 2000, as reported in Remember, I'm still me, the joint report by the Care Commission and Mental Welfare Commission, to review these failures as a matter of urgency and to ensure that section 47 certificates are in place before treatment takes place for those who are unable to give or refuse consent to medical treatment. (S3W-26251)

Robert Brown (Glasgow) (LD): To ask the Scottish Executive whether it will issue guidance on the use of section 47 certificates to authorise covert medication in care homes. (S3W-26252)

Robert Brown (Glasgow) (LD): To ask the Scottish Executive what it is doing to address the use of section 47 certificates for ongoing planned restraint in care homes, as reported in Remember, I'm still me. (S3W-26253)

Nicola Sturgeon: The Scottish Government has accepted all the recommendations in the Remember, I'm Still Me report. The implementation of Part 5 of the Adults with Incapacity Act 2000, and whether action needs to be taken to improve routine compliance with its requirements, will be considered as part of the work we are taking forward in partnership with key stakeholders through the development of the Dementia Strategy. Under the act, it is incumbent on the medical practitioner primarily responsible for the medical treatment of an adult to complete a section 47 certificate, once they have established that the adult is incapable in relation to a decision about the medical treatment in question.

Part 5 of the act and certification under section 47 should not be used as justification for the administration of unwanted, unnecessary or potentially harmful medication whether such medication

is given covertly or otherwise. Subsection 47(7) of the act prohibits the use of force or detention, unless it is immediately necessary in the circumstances.

In March 2008, we issued Chief Executive Letter (CEL) 11 (2008) to NHS Scotland. This provided a revised code of practice for Part 5 of the Adults with Incapacity (Scotland) Act 2000. The CEL can be accessed at <http://www.scotland.gov.uk/Publications/2008/06/13114117/0>.

In view of the concerns raised in the report, we will reissue the revised code of practice to NHS Scotland and its affiliates, with a covering letter from the Scottish Government, underlining the importance of complying with the terms of the Adults with Incapacity Act. We will also make clear that, in normal circumstances, section 47 certificates should be completed before treatment commences and that certification under section 47 should not be used as a tool to administer covert medication or for planned restraint.

Mental Health

Dr Richard Simpson (Mid Scotland and Fife) (Lab): To ask the Scottish Executive how many beds are available for female patients requiring medium secure unit facilities in each unit in Scotland and the planned unit at Murray Royal Hospital. (S3W-26246)

Nicola Sturgeon: The number of women requiring medium secure facilities is much smaller than that for men. Accordingly, the national plan for medium secure services for women is to have twelve places available in Scotland.

Current provision includes six dedicated places at Rowanbank Clinic in Glasgow, whilst the Orchard Clinic in Edinburgh offers flexibility to accommodate six women. In the context of NHS Lothian's Mental Health and Wellbeing strategy, the Orchard Clinic is further exploring the possibility of developing a dedicated female facility.

The new medium secure unit planned at Murray Royal Hospital in Perth will not have any dedicated female spaces; however, those women who require levels of medium secure care will be managed within the wider estate in Scotland. The Forensic Network Health Inter-Regional Planning Group is also currently leading discussions on Scotland-wide provision of medium secure services for women.

The Scottish Government continues to work with NHS boards, Regional Planning Groups and the Forensic Network to plan and provide appropriate medium secure services within the framework set out in Health Department Letter (2006) 48.

Children with Disabilities

Karen Whitefield (Airdrie and Shotts) (Lab): To ask the Scottish Executive how the needs and rights of children with disabilities are being taken into account in the work of the National Child Protection Guidance Working Group. (S3W-26164)

Adam Ingram: The review of national child protection guidance aims to meet the needs of all Scotland's at-risk children, including those with disabilities. The review started its work in February 2009, and one of its two workstreams is taking forward a piece of work around the needs and rights of children with disabilities. The review will receive input on current research on the protection of children with disabilities. In addition, the Scottish Child Care and Protection Network (SCCPN), a national research network, is represented on the review group and helps to ensure that it is fully informed by relevant research.

NHS Waiting Times

Gavin Brown (Lothians) (Con): To ask the Scottish Executive how many patients have waited more than (a) 6, (b) 12 and (c) 24 months for a hearing aid after an initial hearing test and diagnosis in each year since 2007, broken down by NHS board. (S3W-25768)

Nicola Sturgeon: This information is currently not available centrally, however information relating to audiology waiting times in NHS boards has been collected since April 2007 and Information Services Division is actively working with the boards to improve the consistency, completeness and timeliness of these data. A revised dataset was introduced in December 2008 and a pre-announcement of this data will take place in August 2009 in line with statistical publication standards. Publication of the relevant data will be in November 2009. Audiology waiting times are included within the 18-week referral to treatment standard by 2011.

Scottish Executive: People with Disabilities

John Wilson (Central Scotland) (SNP): To ask the Scottish Executive what guidelines are given to local authorities regarding the information held on disabled people residing in the local authority area. (S3W-25909)

Alex Neil: Guidance to all public bodies on collecting information to comply with the Disability Equality Duty is the responsibility of the Equality and Human Rights Commission (EHRC). General and sectoral specific guidance was published by the then Disabilities Rights Commission in 2005/2006.

Speech and Language Therapy

Rhona Brankin (Midlothian) (Lab): To ask the Scottish Executive whether it will review provision for young people with speech and language and communication impairments in Scotland in order to tackle unequal provision between areas. Holding answer issued: 5 August 2009 (S3W-25690)

Adam Ingram: A report on the review of funding and services for children in speech and language therapy, physiotherapy and occupational therapy, and speech and language therapy for adults with learning disability was published by the Scottish Executive in 2003. The report can be accessed at: <http://www.scotland.gov.uk/Publications/2003/08/18065/25750>.

It is for NHS boards and local authorities to determine the level of speech and language service they provide based on local priorities and clinical need. The Scottish Government is currently working with NHS boards and local authorities to develop a partnership approach and supporting guidance on how education and health services can work together to best provide for children with additional support needs. It is anticipated that this guidance will be available in 2010.

Voluntary Sector

Hugh O'Donnell (Central Scotland) (LD): To ask the Scottish Executive how community and voluntary groups are currently funded. (S3W-25839)

Hugh O'Donnell (Central Scotland) (LD): To ask the Scottish Executive how community and voluntary groups will be funded after April 2011. (S3W-25840)

Hugh O'Donnell (Central Scotland) (LD): To ask the Scottish Executive what discussions it has had with community and voluntary groups with regard to the proposed changes to their (a) structure and (b) funding. (S3W-25841)

Hugh O'Donnell (Central Scotland) (LD): To ask the Scottish Executive what discussions it has had with community planning partnerships with regard to proposed changes to the funding and structure of community and voluntary groups. (S3W-25842)

Hugh O'Donnell (Central Scotland) (LD): To ask the Scottish Executive whether it has consulted community and voluntary groups about the Single Interface Programme and, if so, how any responses influenced the formation of the programme. (S3W-25843)

Hugh O'Donnell (Central Scotland) (LD): To ask the Scottish Executive whether the level of funding allocated to community voluntary groups will decrease or increase after April 2011 as a result of the Single Interface Programme. (S3W-25845)

Hugh O'Donnell (Central Scotland) (LD): To ask the Scottish Executive whether the Single Interface Programme for community and voluntary groups will comprise one organisation or a grouping of organisations. (S3W-25846)

Hugh O'Donnell (Central Scotland) (LD): To ask the Scottish Executive for what reason it believes that a Single Interface Programme for community and voluntary groups is preferable to the current system. (S3W-25847)

Hugh O'Donnell (Central Scotland) (LD): To ask the Scottish Executive what research it has done or evidence it has to support the idea that a single interface programme for community and voluntary groups is preferable to the current system. (S3W-25848)

Hugh O'Donnell (Central Scotland) (LD): To ask the Scottish Executive what estimate it has made of the organisational expenditure savings that will be made by the introduction of a single interface programme for community and voluntary groups. (S3W-25849)

Hugh O'Donnell (Central Scotland) (LD): To ask the Scottish Executive whether the prospect of making organisational expenditure savings is a motivation for introducing a single interface programme for community and voluntary groups. (S3W-25850)

Hugh O'Donnell (Central Scotland) (LD): To ask the Scottish Executive what its response is to concerns that regional or local coordination of voluntary activities could be more effective than a single interface programme. (S3W-25851)

Hugh O'Donnell (Central Scotland) (LD): To ask the Scottish Executive how much funding is given to community and voluntary groups for (a) organisation and staffing and (b) projects. (S3W-25852)

Hugh O'Donnell (Central Scotland) (LD): To ask the Scottish Executive how much funding will be given to community and voluntary groups for (a) organisation and staffing and (b) projects from April 2011. (S3W-25853)

Hugh O'Donnell (Central Scotland) (LD): To ask the Scottish Executive how individual projects will be organised and coordinated under the proposed Single Interface Programme for community and voluntary groups. (S3W-25855)

Hugh O'Donnell (Central Scotland) (LD): To ask the Scottish Executive how it will ensure that the needs of each community are met under the proposed Single Interface Programme for community and voluntary groups. (S3W-25856)

Hugh O'Donnell (Central Scotland) (LD): To ask the Scottish Executive how the level of funding for each community and voluntary project will be determined under the Single Interface Programme for community and voluntary groups. (S3W-25857)

Hugh O'Donnell (Central Scotland) (LD): To ask the Scottish Executive whether it has consulted community planning partnerships about the Single Interface Programme and, if so, how any responses influenced the formation of the programme. (S3W-25844)

Jim Mather: We believe that the third sector has a major contribution to make in the design and delivery of single outcome agreements. Since March 2008, across Scotland community planning partnerships and the third sector locally have been devising new arrangements, known as single interfaces, which cover four key functions: support for voluntary organisations, volunteering, and social enterprise and building connections between the community planning partnership and the sector.

Already, such interface arrangements exist in Edinburgh, East Lothian, East Renfrewshire, Falkirk, Orkney, Perth and Kinross, Shetland, West Dunbartonshire, West Lothian and, shortly, Moray. These are intermediary support and liaison bodies which are not directly involved in the delivery of front line services nor the funding of third sector organisations. The interface work has no effect on the funding of third sector bodies which deliver the kinds of service most commonly funded by local authorities or the NHS.

The shaping of each interface is entirely a matter for the community planning partnership and the third sector in each area and we are now funding direct those in the pilot group. We expect that the majority of the 32 community planning areas will have single interfaces in place by March 2010.

The Third Sector Task Group, made up of senior figures from COSLA, the Society of Local Authority Chief Executives, Scottish Council of Voluntary Organisations and the Scottish Government, receives regular reports on the progress of development of the interfaces.

Mary Scanlon (Highlands and Islands) (Con): To ask the Scottish Executive whether it plans to carry out a review of voluntary sector organisations, in particular in the Highlands and Islands. (S3W-25985)

Jim Mather: We have no plans to carry out a review of voluntary organisations, in the Highlands and Islands or elsewhere.

Across the country third sector intermediary organisations are considering how best to engage with the community planning partnership for their area in a process which should lead to single interfaces between the third sector and the community planning partnership. The goal is for the third sector to be able to make a strong contribution to the development of the single outcome agreement and to advise on the delivery of the agreed outcomes.

This is a positive process with nine interfaces already in place and working towards these objectives. We believe that the majority of areas will have such arrangements in place by March 2010.

The following questions were given holding answers:
S3W-25690 | S3W-25691 | S3W-25692 | S3W-25693