Transfer of Healthcare and Forensic Medical Services for People in Police Custody

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Nurse Director and Interim Director, Mental Health Services

Date: 13 January 2014

Recommendation

The Board is asked to note the position in respect to work progressing to transfer Healthcare and Forensic Medical Services for people in Police custody from Police Scotland to the NHS.

Summary

This paper outlines the approach to transfer of Healthcare and Forensic Medical Services for People in Police Custody from Police Scotland to the NHS including transfer of funding and responsibilities. The paper then outlines progress towards transfer of the service by 1 April 2014.

Key Messages:
Healthcare and Forensic Medical Services for people in police custody in Ayrshire will:
- transfer from Police Scotland to NHS Ayrshire & Arran with effect from 1 April 2014.

Cost of provision of the new service in Ayrshire amounts to £965,385 with NHS Ayrshire & Arran estimated NHSScotland Resource Allocation Committee (NRAC) share of available funding amounting to £533,729.

Glossary of Terms

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<tr>
<th>NRAC</th>
<th>NHSScotland Resource Allocation Committee</th>
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<tr>
<td>ACPOS</td>
<td>Association of Chief Police Officers in Scotland</td>
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<tr>
<td>IT</td>
<td>Information Technology</td>
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<tr>
<td>CMT</td>
<td>Corporate Management Team</td>
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1. Situation

In July 2011 the Director General of NHS Scotland, NHS Board Chief Executives and representatives of ACPOS agreed to move towards a partnership arrangement for Custody Healthcare and Forensic Services whereby the services provided by Police Forces under the Scottish Home Department Circular 7362 dated March 1950 should be delivered by NHS Boards.

In this context Ministers have now agreed the general approach being taken towards a transfer of funding and responsibility for the provision of healthcare and forensic services in police custody, based on the following proposals:

- Responsibility for the delivery of healthcare in police custody which is a function of Health Boards under the terms of the NHS (Scotland) Act 1978 should be the function and responsibility of Health Boards;
- Forensic medical services should be delivered by the Health Board but remain a function and responsibility (with effect from 1 April 2014) of the Scottish Police Authority (SPA) under section 31 of the Police and Fire Reform (Scotland) Act 2012;
- Reflecting those responsibilities, healthcare and forensics should be delivered as part of a combined service;
- Funding for healthcare in custody and forensic medical services should transfer from the police to Health Boards;
- Whilst working towards transfer of services to Health Boards, the Police should continue their current arrangements for the delivery of services.

The transfer from the 1950 Circular is intended to ensure equity in healthcare where those in police custody and those for any other medical reason involved in a police incident and requiring medical assistance will receive their treatment from NHS Scotland to the standard of the general population. In so doing the transfer will uphold European and International standards for the healthcare of prisoners. Similarly the integrity of evidence to meet the standard of proof required of summary and solemn procedure will be a principal consideration.

2. Background

During 2012 and 2013 NHS Ayrshire & Arran Healthcare and Forensic Services for people in Police Custody Programme has been established with the programme using Managing Successful Programmes (MSP) methodology to programme manage the delivery of the service. Linda Boyd, Healthcare Manager for Mental Health and Offender Services was appointed as Lead Officer for the programme. A Project Manager was appointed for the programme in April 2013 to lead and manage set up of the programme through to delivery of the new service.

A Local Implementation Group was established in August 2012 for the programme comprising of members from relevant NHS Ayrshire & Arran departments along with representation from Police Scotland, the South West Scotland Community Justice Authority and Patients Council.
A National Network Coordination Board was created in October 2013 to ensure partnership arrangements are in place for the delivery of healthcare and Forensic services for people in police custody in all NHS Boards/Regional collaborative by 1 April 2014 and that the responsibility for delivery is with the NHS Boards by this time.

3. Progress on completion of transfer

Progress on the following priority programme activities has taken place within Ayrshire:

Service specification and procurement process for Forensic Medical Examiners: An NHS Ayrshire & Arran option review supported by Health Economists within Policy Planning and Performance concluded that option 1 Forensic Medical Examiners only for general healthcare and general forensics is the preferred clinical model option. The creation of the model of care is complete.

The recommended procurement approach has been confirmed by the Central Legal Office (CLO) who have advised that the board produce a bespoke specification for the provision of Healthcare and Forensic Medical Services for People in Police Custody in Ayrshire detailing the quantity and quality of services to be provided, applicable service days and hours, location of the services to be provided, duration of the contract and the competencies, skills and qualifications that must be held by the medical examiners providing the service.

A letter seeking expressions of interest to gauge the market to deliver Healthcare and Forensic Medical Services for People in Police Custody in Ayrshire was issued to those on the Ayrshire GP performers list and former Strathclyde area Police Surgeons on 9 January 2014. The service specification and capped contract for tender purposes is being finalised to be sent out to parties who have indicated interest in the tender by 20 January 2014 with tender bids to be submitted by 4pm on 05 February 2014. Due to NHS Ayrshire & Arran current contractual arrangements with Arran GPs discussions are ongoing in relation to tendering for our island communities.

Finance: The service delivery model was costed and submitted to the National Coordinating Network Board finance subgroup on 29 November 2013. Costs including cost of Forensic Medical Examiners, contribution towards the Regional Child Forensic Service, IT, training and development, drug costs and supplies etc amount to £965,385. The NHS Ayrshire & Arran NRAC share of available funding would be: £533,729. Therefore there is an estimated Funding Gap of: £431,656.

Estates: Police custody suite upgrade work: NHS Health Facilities Scotland issued draft guidance on provision of police custody healthcare and forensic medical services facilities and requested comment by 6 December 2013. NHS Ayrshire & Arran has recommended that the minimum Scottish building, construction, health and safety and infection control current standards as detailed in the draft guidance should apply before we deliver healthcare and forensic medical services for people in police custody. We await confirmation that this has been adopted. It is not known if this will be complete in time for a 1 April 2014 go live.

eHealth: IT Network cables have been installed for Ayr, Kilmarnock and Saltcoats police custody suites. National eHealth leads have approved the approach to adopt Adastra as the National IT system. A national procurement order has been placed with Advanced
Healthcare for provision of Adastra as the information management system for Healthcare and Forensic Medical Services for people in police custody. The Scottish Government has confirmed national funding for procurement of Adastra and provision of ARemote units across all Scottish Health Boards to allow Forensic Medical Examiners to work remotely. Further investigation is ongoing into the possible use of the Adastra web portal to allow Police to raise calls directly within the system.

A national Adastra Implementation team has been created, a project plan developed and work is progressing to deliver the system ready for service transfer 1 April 2014.

**Medicines Management:** The NHS Ayrshire & Arran return has been completed for the National Network Board Medicines Management sub group in respect to Police Custody drug formulary requirements. NHS Ayrshire & Arran Pharmacy colleagues are drafting the medicines management process for healthcare and forensic services for people in police custody in Ayrshire.

**Throughcare and referral pathways:** Discussion is ongoing in regards to implementation of a Learning Disability (LD) screening Pilot for Police Custody and Prison settings. NHS Mental Health, Addiction Services and (Criminal Justice) Social Work, Local LIG members are actively exploring opportunities to provide in reach, follow up and referral pathways.

**National Guidance comments:** A national guide to support development of service specifications for delivery of Police Custody Healthcare and Forensic Medical Services has been issued for consultation. NHS Ayrshire & Arran comments were submitted to the National Coordinating Network Board 22 October 2013. A final version of the National Guidance is awaited.

**Memorandum of Understanding (MOU):** The latest version of the MOU between Police Scotland and Geographic NHS Boards in Scotland for provision of Healthcare and Forensic Medical Services for those in care of the Police has been received and NHS Ayrshire & Arran comments and responses on this document were submitted to the National Coordinating Network Board on 11 November 2013. A final version of the MOU is awaited with the next National Coordinating Network Board meeting on 13 January 2014.

**Regional Child Forensic Services:** NHS Greater Glasgow and Clyde are leading on the procurement of a Regional Child Forensic Medical service on behalf of NHS Ayrshire & Arran, NHS Lanarkshire, NHS Highland and NHS Dumfries and Galloway. Discussion is ongoing in regards to each Health Boards cost contribution towards provision of regional child forensic services.
## Monitoring Form

| Policy/Strategy Implications | Offenders tend to have significant rates of morbidity and this group is identified as a priority group within the Health Improvement Strategy. Performance and management data collected in due course for the Healthcare and Forensic Medical service for people in police custody will inform a needs assessment of people in police custody that require general healthcare interventions. |
| Workforce Implications | Healthcare and Forensic Medical Services for People in Police Custody in Ayrshire is a new service transferring from Police Scotland to the NHS. The procurement process is ongoing to identify a successful contracted provider for provision of the service including provision of Forensic Medical Examiners. |
| Financial Implications | Costs of implementing Healthcare and Forensic Medical Services for People in Police Custody in Ayrshire including cost of Forensic Medical Examiners, contribution towards the Regional Child Forensic Service, IT, training and development, drug costs and supplies etc amount to £965,385. The NHS Ayrshire & Arran NRAC share of national available funding would be: £533,729. Therefore there is an estimated Funding Gap of: £431,656 which has been included in the financial plans for 2014/15 |
| Consultation (including Professional Committees) | Membership of the Local Implementation Group for Healthcare and Forensic Medical Services for People in Police Custody includes representation from Police Scotland, the South West Scotland Community Justice Authority and the Patients Council. Consultation has taken place with existing service providers on the provision of NHS Ayrshire & Arran Healthcare and Forensic Medical Service for People in Police Custody in Ayrshire. |
| Risk Assessment | Risks have been assessed and reported to CMT and the Performance Governance Committee. |
| Best Value | Healthcare and Forensic Medical Services for people in police custody in Ayrshire and Arran aim to provide care to offenders that is: Person centred; Safe; Effective; Efficient; Equitable and Timely. |

- Vision and leadership
- Effective partnerships
- Governance and accountability
- Use of resources
- Performance management

- Effective partnerships;
- Governance and accountability;
- Performance Management
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<tr>
<th><strong>Compliance with Corporate Objectives</strong></th>
<th>Healthcare and Forensic Medical Services for people in police custody in Ayrshire and Arran aim to provide a person centred, safe and clinically effective service in support of Police Scotland Custody Division.</th>
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<tr>
<td><strong>Single Outcome Agreement (SOA)</strong></td>
<td>None</td>
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<td><strong>Impact Assessment</strong></td>
<td>An Equality Impact Assessment (EQIA) for introduction of Healthcare and Forensic Medical Services for People in Police Custody is being completed but has not yet been submitted.</td>
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