



# The Scottish Parliament

## Health and Sport Committee

Lord Sutherland  
c/o Rhona Dubery  
Independent Review of Free Personal & Nursing Care  
Area 2.ER, St Andrew's House  
EH1 1DG

1 November 2007

Dear Lord Sutherland

### **Re: Independent Review of Free Personal Care**

Thank you for your letter of 8 October 2007 giving the Health and Sport Committee an opportunity to offer views on the key issues relevant to the independent review.

As you are aware, the Committee's predecessor, the former Health Committee, undertook a substantial inquiry into free personal care. We fully endorse that Committee's findings and would ask you to consider in your work the recommendations made by it in its report.

The Committee would also like to draw your attention to a one-off evidence session that its predecessor held in early 2007<sup>1</sup> with Paolo Vestri of Hexagon Research and Consulting, author of the Scottish Executive-commissioned *Evaluation of the Operation and Impact of Free Personal Care*, and the then Deputy Minister for Health and Community Care. The evaluation concluded that—

- The fundamental issue that needs to be resolved is whether free personal care is a national policy that aims to deliver the same range and quality of services across Scotland or whether local authorities should continue to have discretion in respect of delivery, taking into account their financial resources;
- There may be a problem over availability of information for service users, nationally and locally;
- Assessment and service delivery should take place more quickly;
- Some issues remain to be resolved, such as management of waiting lists and clarity over assistance with food preparation.

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<sup>1</sup> Tuesday, 6 March 2007; the official report of the session can be consulted online at [www.scottish.parliament.uk/business/committees/health/or-07/he07-0402.htm#Col3437](http://www.scottish.parliament.uk/business/committees/health/or-07/he07-0402.htm#Col3437)

During the evidence session, and in subsequent correspondence, the then Deputy Minister for Health and Community Care endorsed the recommendations and made a number of commitments. These included commitments to—

- Developing outcome agreements for local authorities;
- Updating the guidance on food preparation and considering a statutory route to remove ambiguity;
- Establishing an implementation group to consider the statutory and non-statutory options.

The Health and Sport Committee considers that the review group should take the evaluation and commitments into account when making its own assessment of the key issues, noting the disparity across the country in relation to the speed of service delivery following assessment.

Additionally, the Committee notes that one of your main aims is to focus on the quality and effectiveness of overall services provided to older people and other vulnerable groups in need. Members are agreed that this is a particularly important aspect, bearing in mind issues relating to assessments and the contractual obligations that follow in respect of those who move from one area to another, perhaps to be closer to family. The Committee believes that the review group should consider the operation of the rules of “ordinary residence”. The process must be clear and transparent with no ambiguity over the point at which the contractual obligation commences and that this should be deliverable following the model of reciprocal arrangements between NHS area boards.

Furthermore, the Committee believes that what total level of resources is available to local authorities for the implementation of free personal and nursing care cannot be determined or effectively considered until there is clarity in respect of the distinction between social care and NHS continuing care.

Yours sincerely,



Christine Grahame  
Convener  
Health and Sport Committee