

DDT(4)01

# **Drug Deaths Taskforce Framework Document**

**March 2020**



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## **INTRODUCTION**

1. Scotland continues to face significant challenges relating to the use of illicit drugs including rising numbers of drugs deaths. Tackling this issue, including reducing the number of deaths is an important public health priority. The Scottish Government's policy is set out in the national strategy "Rights, Respect, and Recovery". It sets out a clear public health approach including a number of measures designed to reduce harm, and death.
2. The Drug Deaths Taskforce has been established by the Minister for Public Health and Sport, supported by the Cabinet Secretary for Justice to support the delivery of the strategy. The Taskforce has the central aim of identifying measures to improve health by preventing and reducing high risk drug use, harm and related deaths.
3. The Taskforce will examine the key drivers of drug deaths, and advise on further changes in practice, or in the law that could help to save lives and reduce harm. Its ambition is to work as an action and outcomes focussed group to achieve this goal, consistent with the national strategy "Rights, Respect, Recovery".
4. This requires all members and their organisations to commit to providing high-level strategic leadership, focussing on what members can do individually, in collaboration and collectively to reduce harm and death.
5. This Framework Document sets out the terms of an agreement between the Drug Deaths Taskforce and the Scottish Government in relation to the governance, financing and operation of the Taskforce. The framework document is a statement of intent, agreed jointly. It does not create legal obligations.

## **STRATEGIC GOALS, ROLE AND FUNCTIONS OF THE DRUG DEATHS TASKFORCE**

6. The primary role of the Taskforce is to co-ordinate and drive action to improve the health outcomes for people who use drugs, reducing the risk of harm and death.
7. Part of the actions taken by the Taskforce to achieve this will be to monitor, support and facilitate the delivery of related commitments set out in "Rights, Respect and Recovery" published in November 2018. The most relevant commitments as stated are:

- a) A Human Rights-based, person centred response to individuals and families experiencing drug related harm, ensuring a focus on those most at risk;
  - b) Ensuring that actions to reduce drug use and harm are tackling health inequalities;
  - c) A focus on taking an improved public health approach in justice settings – reducing use and harm, and diverting vulnerable people out of the justice system where appropriate.
8. The Taskforce will specifically:
- a) Examine and publish evidence of the triggers of drug deaths and what we have learned in Scotland about how they can be prevented;
  - b) Collate and publish good practice about what has worked in other parts of the UK and internationally to prevent death and harm arising from drug use;
  - c) Work with partners to identify, spread and sustain good practice in Scotland;
  - d) Identify specific barriers in the planning, commissioning and delivery of addiction services in Scotland. Such barriers might include stigma, inequitable access, poor retention practice, and lack of consistency in how patients are treated;
  - e) Review whether the Misuse of Drugs Act 1971 affects the provision of a strengthened and consistent public health approach to drug use, recognising that this is reserved to the UK Parliament and any changes will require the agreement of the UK Parliament. The review will consider whether the 1971 Act has an impact on proposals to provide public health harm reduction services or on the availability of diversion from arrest or court;
  - f) Identify the extent to which the availability of appropriate programmes and treatment options limit the use of diversion from the criminal justice system or the use of constructive sentencing options within the criminal justice system;

- g) Identify the full range of support services which help to reduce harm and identify deficiencies in the delivery framework, availability and provision of such services;
  - h) Make recommendations for changes in current health and social care practice and on how a public health approach to drugs might be more fully realised across all relevant services and in the justice system. This should include a clear timetable for changes in the short, medium and long term.
9. The Taskforce will have a focus on quality improvement, and the 8-point plan for treatment and recovery, within the context of increased investment, and the encouragement of innovation and new and ambitious approaches, supported by the national development fund.
10. The Taskforce will consider the experience of people who use drugs and their interaction with all stages of the health and justice system.
11. In all the work of the Taskforce, including the approach to engaging with people with lived and living experience and their representatives, inclusivity and diversity should be considered. This should include taking into account geographic accessibility.

## **ROLES, RESPONSIBILITIES AND RELATIONSHIPS**

### **Members of the Drug Deaths Taskforce**

12. Membership of the Taskforce is at the invitation of the Scottish Ministers. Members are invited on the basis of their expertise, experience and skills.
13. The Secretariat and members will ensure that people with lived and living experience of drugs use and their families are able to engage meaningfully in the work of the Taskforce.
14. Members will demonstrate commitment to make a positive, practical, meaningful and lasting contribution to the work of the Taskforce whilst working together to drive action to facilitate an effective and appropriate response to drug use which takes full account of the need to reduce harm.

15. Members will recognise the current reserved nature of the Misuse of Drugs Act 1971, the operational independence of the Police Service of Scotland, the Lord Advocate's independent responsibility for the investigation and prosecution of crime and the investigation of deaths in Scotland and the independence of the judiciary, particularly in relation to sentencing decisions.
16. Members will communicate with and provide feedback from their organisations and ensure regular communication with the Taskforce and other relevant stakeholders.
17. Members are expected to attend or dial-in to meetings. However, the substitution of a deputy is acceptable on the understanding that the deputy will provide a report on the meeting to the substantive member and the group they represent. Members submitting apologies for meetings, and who are unable to send a deputy, should notify the secretariat in advance. All members will make a full declaration of interests. If a member is uncertain as to whether or not an interest should be declared, they should seek guidance from the chair.
18. Members who wish to provide the Taskforce with updates or developments which will be of interest can do so in e-mails or correspondence between meetings or through update papers for Taskforce meetings. Members should first notify the Secretariat who can send messages on behalf of the Member. A template for updates is provided at **Annex B**.

### **Conduct and Declaration of Interests**

19. As the Taskforce is not a statutory group or part of the Scottish Government it is not regulated by the [Scottish Code of Conduct for Public Bodies](#) or the [Civil Service Code](#). However, Members are expected to have regard to these codes of conduct. So the Secretariat will maintain and publish a Register of Interests for members. Some guiding principles for members are set out at **Annex A** to this Framework Document. This includes guidance on circumstances in which members must declare any interest in a subject under discussion or consideration.

### **Leadership and Links with Other Relevant Activity**

20. Meetings will be conducted by the Chair, or Vice-Chair if required.

21. To ensure that the work of the Taskforce is informed and effective at making links to other relevant areas of activity, members and the Secretariat will ensure appropriate communication is in place and co-ordination is carried out with the wide range of other organisations, activities - including Programme for Government commitments - relevant to improving the experiences of people who use drugs and are at risk of harm and death.
22. The Secretariat and relevant members will ensure regular updates on the work of the Taskforce are provided to the collaborative Health and Justice Board.
23. The Taskforce will meet quarterly and will be operational for the remainder of the current Parliament, to May 2021. It is expected that the Taskforce will report to Ministers and make recommendations for short, medium and long term actions.

#### **Sub Groups, Work Streams and Projects**

24. The Taskforce recognises that to carry out its roles effectively and to ensure proposals for improvement are developed and implemented there will need to be Sub Groups to oversee priority workstreams and projects which the Taskforce has called for or recommended.
25. Sub Groups will be established from the membership and may invite other experts, contributors or others with experience to help with workstreams or projects.
26. Each sub Group established will have a lead member, who will provide the Taskforce with regular updates on progress. These updates will routinely be in writing either as e-mails or correspondence between meetings or through update papers for Taskforce meetings. A template for updates is provided at **Annex B**. The Taskforce members or Sub Group leader may also wish to hear about or update others on specific progress at full meetings. Requests for an agenda item on the work of Sub Groups should be made to the Chair through the Secretariat.

#### **Steering Group**

27. The Chair of the Taskforce will convene a steering group of members which will report to the Taskforce on proposals for structural or procedural arrangements and overall strategic direction. These proposals could include arrangements for organising

meetings, improving communications and other practical aspects of running the Taskforce.

28. The steering group will not make decisions on behalf of the Taskforce, but instead will be able to consider routine, general or wider strategic issues in more detail before putting proposals to the full Taskforce. The development or future amendment of this Framework Document, for example, would be more effectively considered by the steering group than the full membership. This arrangement will allow more time at Taskforce meetings to be focused on substantive agenda items.
29. The steering group will be led by the Chair and will include the Vice-Chair, sub-group or project leads, communications leads and usually the Secretariat.

### **The Chair**

30. The Chair is appointed by Scottish Ministers in writing. The primary duty of the Chair is to lead the Taskforce in the successful performance of its roles. In doing so, the Chair will exercise particular leadership responsibilities on the following matters:
  - Formulating the strategic direction;
  - Ensuring that in reaching decisions members have due regard to all appropriate information and evidence;
  - Ensuring that actions and decisions taken by the Taskforce are in accordance with its remit and roles and consistent with its aims and objectives;
  - Encouraging high standards of propriety and regularity across members and Sub Groups; and
  - Representing the Taskforce in communications and in meetings with stakeholders.
31. The Chair will also:
  - Ensure that all members are fully briefed on their involvement and responsibilities;
  - Ensure that the membership includes all appropriate representation as far as is practicable.

## Secretariat

32. Secretariat support for the Taskforce will be provided by the Scottish Government Health Improvement Division. It is anticipated that the Taskforce will be able to draw on the wider expertise across the Scottish Government, as well as amongst external organisations.
33. The Secretariat will provide support to Sub Groups and the Taskforce steering group as required.
34. The Secretariat function will include:
  - a) Being the point of contact for the Chair – to handle requests for information or, meetings and to support the Chair and other Members to provide the taskforce with updates between meetings.
  - b) Supporting the Chair and Sub Group leaders to schedule and programme future meetings, visits, agenda items and time slots for strategic times as part of a longer-term, overarching strategic plan;
  - c) Arranging meetings of the Taskforce and Sub-Groups;
  - d) Providing the Chair and leads with support for meetings, including an appropriate steering brief;
  - e) Ensuring papers and presentations for meetings are available well in advance of meetings;
  - f) Taking minutes and action notes of meetings to be published on the Taskforce webpages as quickly as possible;
  - g) Maintaining an Action Log to record and track progress against recommendations made by the Taskforce;
  - h) Commissioning future work and contributions from members;

- i) Providing day-to-day diary support for the Chair and Vice-Chair, including handling requests for their attendance at events or requests for their views on issues and booking travel and accommodation as required;
- j) Identifying, appointing and remunerating a dedicated independent source of communications services for Taskforce issues. The Secretariat will help ensure that the independent resource has access to SG Comms. The independent resource will be available directly to the Chair (and Vice Chair);
- k) Developing and maintaining a Communications Strategy for the Taskforce. The communications strategy will include a list of stakeholders, partner organisations, representative groups and key individuals with whom the Taskforce might wish to engage directly to raise awareness, seek support or develop recommendations or plans. The strategy will include proactive engagement activities with stakeholders and advice on which meetings and events the Chair or other members should consider attending as event dates emerge and would be maintained jointly by the Secretariat and the independent resource;
- l) Developing and maintaining a Core Brief for Taskforce issues. All members of the Taskforce should have access to the Core Brief - which will provide core messages as well as lines to take on any issue likely to arise in respect of the Taskforce. The Core Brief will be supplemented by updated information, data and summaries of news coverage and parliamentary questions and debates etc. The maintenance of the Core Brief will be shared between the Secretariat and the independent communications resource;
- m) Providing notice of and advice on upcoming events of particular interest to the Chair and members.
- n) Liaising with the Chair and the independent communications resource to monitor these support arrangements.

### **The Deputy Director for Health Improvement**

35. The Deputy Director for Health Improvement is responsible for ensuring that effective and healthy working relationships are maintained between the Drug Deaths Taskforce

and Scottish Government and with Scottish Ministers. The Deputy Director (DD) will ensure that the Chair is informed about relevant issues which may affect The Taskforce's roles.

36. The DD will promote alignment between the Taskforce and the Scottish Government as appropriate, for example ensuring that:
- The Taskforce is aware of strategic developments and decisions within SG which may impact on drug deaths;
  - SG Directorates are aware of the activities and recommendations of the Taskforce which may impact on SG;
  - The Taskforce is taken into account in relevant Scottish Government policy decisions, and that the Scottish Government has due regard for advice provided by the Taskforce; and
  - An agreed Framework Document is in place, and maintained.
37. The DD will be responsible for advising the Scottish Ministers about the operation and performance of the Taskforce.

### **The Scottish Ministers**

38. Ministers are responsible for inviting members onto the Taskforce and for ensuring costs and expenses are covered as required.
39. Ministers will ensure the Taskforce and its Sub Groups have access to adequate support. Members may be able to identify support from their own respective organisations. Where this is not the case, support should be made available from the Scottish Government or other public sector bodies. Where support must be procured, the Scottish Ministers will be accountable for procurement activity – so all procurement would be through Scottish Government processes.
40. Ministers are accountable for the funding required to:

a) Help the Taskforce gather evidence and publish guidance;

b) Implement projects and activities recommended by the Taskforce.

41. Ministers are responsible for ensuring that funding and other resources are used in accordance with the Scottish Public Finance Manual and related legislative requirements.

## **THE DRUG DEATHS TASKFORCE AND THE SCOTTISH GOVERNMENT**

42. To ensure that people, their families and communities are supported and that services are doing all that is possible to provide this support, the Scottish Government and the Drug Deaths Taskforce should keep the other updated as appropriate. People will expect that this would include providing advance notice of any significant announcements or publications about initiatives, interventions, actions or policies to help avoid drug related deaths.

43. The Scottish Government and the Drug Deaths Taskforce will establish and maintain effective working relations through regular contact with each other, including regular meetings. The Chair and vice chair will meet the Minister with portfolio responsibility for drugs harm at least quarterly.

44. Officials in the Scottish Government's Population Health Directorate and other relevant Directorates of the Scottish Government will maintain routine contact with the Chair and other members.

45. The Scottish Government will look to the Taskforce for advice on implications of drugs policy, or policy which touches upon drug-related deaths.

46. The Taskforce will be encouraged to work directly in partnership with local government, NHS Scotland, public bodies and the third sector in order to achieve its objectives.

## **FUNDING ARRANGEMENTS**

47. The Scottish Government will allocate a proportion of its health improvement budget to cover the operating costs of the Taskforce and its Sub-groups – secretariat, communications, hiring venues, travel and subsistence and other support costs.
48. The Scottish Government will allocate a specific budget to meet the costs of agreed activities recommended by the Taskforce. The budget for 2020/21 will be £9 million and the budget for 2021/22 will be £5 million.
49. The Scottish Government will be responsible for payments from this specific budget to local areas, public authorities or third sector organisations as recommended by the Taskforce.
50. Under the terms of the Scottish Public Finance manual, the Scottish Government will be accountable for the transfer and use of these payments.
51. The Taskforce will be responsible for setting out a strategic funding plan for how bids for funding will be assessed, prioritised and agreed. The Scottish Government will assist the Taskforce in developing this plan. The first version of a strategic funding plan is attached as **Annex C**.

## **REVIEWING THIS FRAMEWORK DOCUMENT**

52. This Framework Document will be reviewed as necessary. Amendments may also be proposed by the Scottish Government or the Taskforce at any time, in light of experience or changed circumstances, and any revisions will be agreed by the Taskforce and Scottish Ministers.

**March 2020**

**Signed on behalf of the Drug Deaths Taskforce**

**Signed on behalf of Scottish Government**

## **DRUG DEATHS TASKFORCE MEMBERS' CODE OF CONDUCT**

The Scottish public has a high expectation of those who serve on Ministerial groups and the way in which they should conduct themselves in undertaking their roles. You must meet those expectations by ensuring that your conduct is above reproach.

As a member of the Taskforce, it is your responsibility to make sure that you are familiar with, and that your actions comply with, the provisions of this Code of Conduct.

### **Key Principles of the Code of Conduct**

The general principles upon which this Code is based should be used for guidance and interpretation only. These general principles are:

#### ***Duty***

You should uphold the law and act in accordance with the law and the trust placed in you. You should act in the interests of the Taskforce as a member.

#### ***Selflessness***

You should take decisions solely in terms of public interest. You must not act in order to gain financial or other material benefit for yourself, family or friends.

#### ***Integrity***

You must not place yourself under any financial, or other, obligation to any individual or organisation that might reasonably be thought to influence you in the performance of your Taskforce role.

#### ***Objectivity***

You should make decisions solely on merit and in a way that is consistent with the work of the Taskforce when carrying out public business including awarding contracts or recommending payments from funds.

### ***Accountability and Stewardship***

The public will have an interest in your decisions and actions. You should consider issues on their merits, taking account of the views of others and must ensure that the Taskforce uses its resources prudently and in accordance with the law.

### ***Openness***

You should be as open as possible about your decisions and actions, giving reasons for your decisions and restricting information only when the wider public interest clearly demands.

### ***Honesty***

You should act honestly. You must declare any private interests relating to your Taskforce role and take steps to resolve any conflicts arising in a way that protects the Taskforce.

### ***Leadership***

You should promote and support these principles by leadership and example, and to maintain and strengthen the public's trust and confidence in the integrity of the Taskforce.

### ***Respect***

You should respect fellow members of the Taskforce, contractors, service providers, representatives and contributors, treating them with courtesy at all times. Similarly you should respect members of the public when performing roles as a member of the Taskforce.

### ***General Conduct***

The rules of good conduct in this section should be observed in all situations where you act as a member of a public body.

### ***Conduct at Meetings***

You must respect the chair, your colleagues and others in meetings. You should comply with rulings from the chair in the conduct of the business of these meetings.

### ***Confidentiality Requirements***

There may be times when you will be required to treat discussions, documents or other information relating to the work of the Taskforce in a confidential manner. You will often receive information of a private nature which is not yet public, or which perhaps would not be intended to be public. You must always respect the confidential nature of such information and comply with the requirement to keep such information private.

It is unacceptable to disclose any information to which you have privileged access, for example derived from a confidential document, either orally or in writing. In the case of other documents and information, you are requested to exercise your judgement as to what should or should not be made available to outside bodies or individuals. In any event, such information should never be used for the purposes of personal or financial gain, or for political purposes or used in such a way as to bring the public body into disrepute.

### Registration of Interests

You should ensure that any relevant interests are registered, and that if any circumstances change that you update the register which the Secretariat will keep. The interests which require to be registered are.

<b>You have a registrable interest if you receive remuneration if:</b>	
Remuneration	You are employed, self-employed, have a directorship, or are a partner in a firm. <i>You do not need to register how much remuneration. Just register the name of the employer or firm etc.</i>
Contracts	You (or your organisation) have a contract with the Scottish Government in respect of the Taskforce. <i>You should register a description of the contract.</i>
Land and Buildings	You own or have any other right or interest in houses, land and buildings, which may be significant to, of relevance to, or bear upon, the work and operation of the Taskforce. <i>You should register any of these if you think they are relevant to the Taskforce.</i>
Non-Financial Interests	You may also have a registerable interest if you have non-financial interests which may be significant to, of relevance to, or bear upon, the work and operation of the Taskforce. <i>You should register any membership in other public bodies, clubs, societies and organisations such as trades unions and voluntary organisations.</i>

## **Declaration of Interests**

The key principles of the Code, especially those in relation to integrity, honesty and openness, are given further practical effect by the requirement for you to declare certain interests in proceedings of the public body. Together with the rules on registration of interests, this ensures transparency of your interests which might influence, or be thought to influence, your actions.

### ***Interests which Require Declaration***

You must declare any financial interest which is relevant to a discussion or decision of the Taskforce. If the Taskforce is discussing something in which you have a declared interest, you should withdraw from the meeting room until discussion of the relevant item is concluded. There is no need to withdraw in the case of an interest which is remote or insignificant.

### ***Making a Declaration***

You must consider at the earliest stage possible whether you have an interest to declare in relation to any matter which is to be considered. You should consider whether agendas for meetings raise any issue of declaration of interest. Your declaration of interest must be made as soon as practicable at a meeting where that interest arises. If you do identify the need for a declaration of interest only when a particular matter is being discussed you must declare the interest as soon as you realise it is necessary.

5.14 The oral statement of declaration of interest should identify the item or items of business to which it relates. The statement should begin with the words "I declare an interest". The statement must be sufficiently informative to enable those at the meeting to understand the nature of your interest but need not give a detailed description of the interest.

## UPDATE TEMPLATES

## DRUG DEATHS TASK FORCE: SUB-GROUP UPDATE

## Report/Issue

<b>Update title</b> A short title we can use to refer to this update	
<b>Update from</b> Your name	
<b>Sub Group</b> The Sub-Group or Workstream reporting	
<b>Date</b>	
<b>Date of last update</b> - is this a follow up to previous discussion or update	

## Purpose

<b>For</b> (please tick)	Decision		Discussion		Information	
<b>By</b> (please tick)	Taskforce		Sub-Group		Steering Group	
<b>Handling</b> (please tick)	Agenda item		AOB item		E-mail to members	
<b>Priority</b> (please tick)	Immediate		Urgent		Routine	

## Summary

<b>Key points</b>  Summarise the main points of the update – consider using bullet points	
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**Update**

This space should be used to set out the update more fully

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<b>Next Steps</b> If none, state "N/A"	
<b>Timescale for action</b> If none, state "N/A"	

## DRUG DEATHS TASK FORCE: MEMBERS' UPDATE FORM

### Report/Issue

<b>Update title</b> A short title we can use to refer to the topic or add it to an agenda	
<b>Update from</b> Your name	
<b>Organisation</b> Your organisation (if appropriate)	
<b>Date</b>	
<b>Date of previous update</b> - is this a follow up to previous discussion or update	

### Purpose

<b>For</b> (please tick)	Decision		Discussion		Information	
<b>By</b> (please tick)	Taskforce		Sub-Group		Steering Group	
<b>Handling</b> (please tick)	Agenda item		AOB item		E-mail to members	
<b>Priority</b> (please tick)	Immediate		Urgent		Routine	

### Summary

<b>Key points</b>  Summarise the main points of the update – consider using bullet points	
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**Update**

This space should be used to set out the update more fully

**Recommendation for action**

What do you recommend as Next Steps?

If none, state "N/A"

**Timescale for action**

Is there a deadline or urgency?

If none, state "N/A"

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**STRATEGIC FUNDING PLAN**

**[To be inserted when cleared]**