

Cabinet Secretary for Health and Social Care

FLOODING AT NHS Lothian CENTRAL DECONTAMINATION UNIT (CDU)

PRIORITY AND PURPOSE

1. To provide a further update on the incident at NHS Lothian's CDU and the impact on services.

RECOMMENDATION

2. You note this latest update on the current position on the NHS Lothian incident. A call has been arranged today at 1530 with Cabinet Secretary, Scottish Government officials and NHS Lothian. NHS Lothian will hold a daily Gold meeting at noon.

CURRENT POSITION

3. Further from the update on Saturday 27 August, NHS Lothian are continuing to work with PFI contractor on recommissioning to set the timelines for the work to be completed. The Board had indicated 2 weeks from the call on Saturday but this may be potentially longer. (An update will be provided at 3;30 call with you) Materials have been ordered and teams are on standby to commence work. Colleagues from HFS are supporting NHS Lothian Facilities staff and will be involved in the works to recommission.
4. A clear daily process is now in place within Diagnostics, Anaesthetics, Theatres & Critical Care (DATCC) to manage surgical activity. NHS Lothian have notified us that the impact of cancellations today (29 August) are:
P2 – 29
P3 – 10
P4 – 27
Total 66 patients.
5. The Board will work to reschedule cancelled appointments and we will continue to work with the Board on assessing any further impacts on patient care. **We will keep the Cabinet Secretary updated on the level of further cancellations as a result of the CDU outage.**

SUPPORT

6. There is a requirement for 300 trays per day, seven days per week to meet the demand required for emergency and P2 surgeries to take place. However, that capacity has not yet been reached with only 200 trays being taken from Health

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Boards at this moment. NHS Lothian will continue to work with Boards to meet this target.

7. To reach the 300 capacity, NHS Lothian have offered to pay overtime within other NHS Boards who have offered additional capacity.
8. Discussions will also take place with Steris (North England) regarding additional capacity. This will require planning around transport and overtime arrangements. This will not be possible until tomorrow because of the English Bank Holiday today (29 August).
9. The use of a mobile unit has been explored however this is not feasible due to the 8 week lead in time. We contacted NHS England but they do not have any mobile units an private
10. If capacity cannot be reached then NHS Lothian will request the Scottish Government to intervene for NHS Lothian trays to be prioritised in other Health Boards

COMMUNICATIONS AND MEDIA

11. NHS Lothian have produced robust internal communications that are now in place for staff and patients. A message will be distributed to the public later today which will inform other NHS Boards.
12. SG lines were approved by Cabinet Secretary on Friday 26 August should Ministers be asked for comment.

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Copy List:	For action	For information		
		Portfolio interest	Constituency interest	General awareness
Cabinet Secretary Health and Social Care		X		

DG Health and Social Care
Chief Operating Officer of NHS Scotland
CMO
CNO
Directors of Health and Social Care
Deputy Director Health EPRR – REDACTED
Deputy Chief Operating Officer – REDACTED
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Health Comms
Health EPRR

MEETING WITH CRICKET SCOTLAND TO DISCUSS RACISM IN SCOTTISH CRICKET REVIEW AND NEXT STEPS

Tuesday 30 August 2022

Cabinet Secretary for Health and Social Care
Minister for Public Health, Women's Health and Sport

<i>Date and Time</i>	Tuesday 30 August 2022 Meeting: 16.00 – 16.45
<i>Where</i>	By MS Teams
<i>Who</i>	Gordon Arthur – Interim CEO, Cricket Scotland Stewart Harris – CEO, sportscotland John Lunn – Head of sport development, sportscotland
<i>Why</i>	Meeting follows publication of review which found Scottish cricket to be institutionally racist.
<i>Official Support</i>	<ul style="list-style-type: none">• REDACTED, Active Scotland Division, REDACTED• REDACTED, Active Scotland Division, REDACTED
<i>Media Handling</i>	Non-media event
<i>Briefing</i>	Annex A – Summary Page and suggested speaking points Annex B – Background

SUMMARY PAGE AND SUGGESTED SPEAKING POINTS

Purpose of meeting:

- This is an opportunity to meet Gordon Arthur, interim CEO of Cricket Scotland, to discuss the recommendations in Changing the Boundaries, a review of racism in Scottish Cricket, which was published in July.
- It is an opportunity to ask questions and seek reassurance around the governance process and Board recruitment, as well as progress against the recommendations themselves.

Suggested lines to take:

- **The Scottish Government is clear that there is no place for racism or discrimination of any kind in sport, or indeed wider society.**
- **Recognise that racism and racial inequalities still exist within sport, as they do more widely.**
- **Thank you for meeting with us today and appreciate that you have been bought in as Interim CEO just before publication of the report.**
- **Would like to use this meeting to understand the current position following the report's publication as well as the plans going forward around the Board, governance and progressing the recommendations.**

Board recruitment

- **Helpful to understand where things are in terms of Board recruitment and what steps are being taken to ensure there applicants are diverse and representative of those playing cricket?**

Governance

- **The review recommended that Cricket Scotland “undertake a governance review”. Can you tell us more about any plans around this?**

Action Plan and specific actions

- **What is the progress around developing an action plan as recommended in the report?**
- **What about the delivery of specific actions?**
- **How will you ensure you keep those who may have an interest informed around progress?**

Next steps

- **Would be helpful to have regular progress updates on this work.**
- **Also helpful to hear from sportscotland around some of the wider work that is underway or planned across the sporting sector following the publication of this report**

BACKGROUND

Independent review of allegations of racism in cricket in Scotland

1. Following a number of serious allegations, sportscotland appointed a team of independent experts to carry out a full a review of racism within Scottish cricket.
2. Industry expert, Plan4Sport, was appointed to lead the investigation.
3. Plan4Sport employs a skilled and diverse team of specialist staff supported by a wider group of expert consultants, with a combined total of 150 years of experience working across all levels of the sport sector. A team of nine consultants, all equality, diversity and inclusion (EDI) experts from a variety of different backgrounds including governance, safeguarding and child protection, global leadership on EDI, professional and grassroots community sport will lead the review of racism within Scottish cricket.
4. The review commenced in December 2021 and Changing the Boundaries – an independent review into racism in Scottish Cricket - was published in July 2022, with associated recommendations for Cricket Scotland to take forward.

Board recruitment

5. The Review recommended that “Cricket Scotland commence an immediate recruitment process for new Board members, with appointments made no later than 30 September 2022”.
6. Cricket Scotland plan to initially recruit a Chair and two Non-Executive Directors (NEDs). Interim CEO, Gordon Arthur is a board director in an ex-officio capacity. This will create a Board of four, which is one more than the three required to function.
7. Appointments will be for 2 years initially to see through the implementation of the main recommendations of the Changing the Boundaries report and ensure the organisation is well placed to achieve its longer-term goals.
8. sportscotland are supporting the Board recruitment process.
9. The Chair and NEDs adverts went live on 16 August. The closing date for applications is 31 August, with interviews will be held week commencing 12th September, with the aim of announcing the new Board in mid-September, ahead of the end of September deadline in the report recommendations.
10. Efforts are being made to promote the roles as widely as possible, including into targeted authorities. Cricket Scotland have worked closely with the communications team at sportscotland, with input from sportscotland’s new Equality

and Diversity Manager, to ensure an advertising strategy that will reach directly into as diverse an audience and communities as possible as they seek to fill these roles.

11. Early indications are that we are receiving applications and interest from good quality candidates with a mix of both demographics and skill sets.

12. The recruitment panel will include representatives of Cricket Scotland (Gordon Arthur, CEO), sportscotland (Stewart Harris, CEO), Running Out Racism, and a Chair or CEO from another SGB.

Governance Review

13. The review recommended that Cricket Scotland “undertake a governance review”.

14. A Governance Review is planned to focus on the structure, new articles etc. of Cricket Scotland.

15. sportscotland engage Harper MacLeod as supplier of expert legal resource available to support SGBs.

16. Cricket Scotland have asked Harper MacLeod if they can undertake the governance review once the new board once in place.

17. This review will include review of how disciplinary processes are managed across the sport.

Action Plan

18. The review recommended that Cricket Scotland develop an Action Plan which addresses the immediate actions and short-term KPI's set out in the report, with a deadline for sportscotland to approve the report by 30 September 2022.

19. Cricket Scotland are looking to make quick progress on developing this plan and with the individual actions within it. They have started to populate a draft action plan.

20. The first draft of the Cricket Scotland Action Plan was shared with sportscotland on 9th August. It has each recommendation made by Plan4Sport identified, responsibilities assigned, and initial actions recorded against each item.

21. Cricket Scotland have communicated to Running Out Racism that they propose to share the draft action plan with them for their input which will be a crucial part of this process and will provide a shared understanding of how the recommendations will be taken forward.

22. A communications plan will be developed to ensure a regular flow of information is established on progress against the Action Plan.

23. Cricket Scotland have proposed to restart regular meetings with Running Out Racism (which were in place prior to the Board resigning) to keep them updated on progress and to seek advice where appropriate to do so.

Updates on specific actions

24. A job description has been written and the role advertised by Cricket Scotland for a Communications Manager.

25. The formation of an EDI taskforce has been agreed, a terms of reference is being drafted and suitable potential members identified. The Task Force will be initially chaired by the Cricket Scotland CEO until the new Chair of Cricket Scotland is appointed and will comprise around four or five independent experts and a couple of representatives from within the cricket community. Running Out Racism will be invited to sit on this group.

26. The task force will support the development of a new EDI strategy to include anti-racism proposals plus the training and education programmes required to support the delivery of the strategic outcomes. Timescales for the delivery of the strategy will be clearer as the task force and necessary specialist resource is appointed.

27. This strategy will also address the data collection requirements, short term resourcing for the developing the strategy and rapid delivery of resulting action plan(s). It is likely this will be resourced through contracting specialist skills initially. Longer term EDI resourcing requirements within Cricket Scotland will be determined by the proposals within the strategy, but in the short-term Cricket Scotland believe that they will deliver far more, more quickly with contracted specialist skills than spending time recruiting staff.

Referrals

28. The review recommended that all investigations resulting from referrals (from the review process) be expedited by a third party with the appropriate expertise.

29. Cricket Scotland, sportscotland, Harper MacLeod, Running Out Racism and Sporting Equals are working on the process and methodology for the review of referrals. This is largely complete and Cricket Scotland are due to announce more details shortly.

30. Confidentiality agreements will be required between all parties to allow for information sharing and to start triaging of referrals into groups.

31. Expert independent resource has been identified and is in the process of being contracted.

32. In the meantime, a significant amount of preparatory work has been completed to sort through the referrals, understand the varying nature of them, sort them into a number of groupings and to map out how each group will be progressed.

33. Running Out Racism have requested that a date be communicated as to when investigations will begin. They have been asked for clarity on what this means as many cases, at the request of the complainants, will not result in full investigations.

Scottish Cricket

34. Cricket Scotland's previous CEO was on personal leave since November 2021 and left permanently at the end of February 2022. Chair (Tony Brian) resigned and left due to health issues in early March 2022. The remaining members of the Cricket Scotland board resigned 24 hours before the independent report was due to be published.

35. John Lunn (Sports Development Head, sportscotland) supported Cricket Scotland as interim CEO in the short-term, following the departure of Cricket Scotland's CEO and Chair. He was supported by members of the wider sportscotland team, who continued to work on areas including governance, leadership, equalities and communications.

36. In July the Gordon Arthur was appointed as Interim Chief Executive Officer to lead the governing body through the publication of the independent review into racism in Scottish cricket and develop a strategy to address the issues raised and progress the recommendations within the report.

37. Gordon Arthur was former Director of Marketing and Communications at Glasgow 2014 as well as serving as a Non-Executive Director at UK Athletics, one of the largest Olympic sport governing bodies. He was also appointed by Scottish Ministers as a non-executive Director of Glasgow Prestwick Airport, was previously a Member of the UNICEF UK Scottish Advisory Board, Interim CEO of Scottish Financial Enterprise and Director of Group Corporate Affairs for Standard Life.

Cricket Scotland Equality and Diversity and Inclusion (EDI) training

38. Between May and the end of July, Cricket Scotland engaged in EDI training for staff, board, council and regional associations boards. All staff, board, council and the majority of national team players and regional association committee members attended a bespoke three and a half hour workshop provided by Inside Inclusion that was tailored to Cricket.

39. In addition the majority of the board and council also attended sportscotland generic EDI training as part of the learning and development offer made to SGBs.

Implications for wider sporting system/ sportscotland's wider approach to racism in sport

40. The Changing the Boundaries Report was published on 25th July. On 26th July, sportscotland convened a conference call for CEOs of other SGBs to share details of the report with them.

41. While, sportscotland are currently considering the implications of the report for other sports, this should not be seen in isolation. sportscotland was already working

to address racism and other forms of inequality in sport. Consideration of the Changing the Boundaries report will continue to inform that wider work.

sportscotland's approach to Equality, Diversity and Inclusion

42. sportscotland's corporate strategy, Sport For Life, sets out the direction for sport and sportscotland. It celebrates how everyone in Scotland can benefit from sport. It sets out their commitment to inclusion underpinning everything they do.

43. sportscotland's approach to equality, diversity and inclusion (EDI) brings this commitment to life. It is part of Sport For Life.

44. Their approach to EDI has three strands aligned to their Public Sector Equality Duties (PSED) – Our People, Our Systems, and New Ideas. Their overall approach responds to the findings of their Equality and Sport Research 2020.

45. sportscotland's goal is to build a system that is inclusive by design. Their approach is about creating the environment for change and ensuring equality, diversity and inclusion is embedded in their work. sportscotland will:

- help people experience the benefits of diversity;
- help them learn how to make inclusive decisions
- provide tools to address bias;
- experiment and co-create new ideas and opportunities to take part, for groups who are under-represented in sport.

46. This will drive improvement through their system.

47. sportscotland will deliver their equality outcomes through the "New ideas" strand of their equality, diversity and inclusion approach. Their new equality outcomes for 2021-25 are person-centred. They describe the changes four focus groups will experience because of sportscotland's actions. The four focus groups are less likely to participate in sport and physical activity, are also under-represented in sportscotland's programmes.

- We will help people who:
 - Live in poverty and low income
 - Experience mental health problems
 - Are over 50 years old
 - Are part of our diverse ethnic communities
- To experience these outcomes:
 - I see and hear people like me taking part
 - I have a voice in the decisions that affect me.
 - I feel like taking part is for me
 - I can find opportunities that meet my needs

Tackling Racism and Racial Inequality in Sport (TRARIIS)

48. In September 2020, UK Sport, Sport England, sportscotland, Sport Wales and Sport Northern Ireland came together to set out to Tackle Racism and Racial Inequality in Sport (TRARIIS) with the collective ambition to have a sporting system which is truly inclusive and properly reflective of UK society.

49. In June 2021, the five Sports Councils responsible for funding sport and physical activity across the UK, published the outcomes of their joint review into Tackling Racism and Racial Inequality in Sport (TRARIIS). The review's findings were based on an extensive analysis of publicly available data on race and ethnicity in sport, as well as research into the lived experiences of more than 300 people.

50. The review made clear that racism and racial inequalities exist in sport in the UK and have resulted in ethnically diverse communities and individuals being consistently disadvantaged, discriminated against, and excluded from sport and physical activity.

51. In response to these findings, the Sports Councils made clear their determination to learn from the review and do everything in their power to bring about transformational change to stamp out racism in sport; creating a sporting system that is truly inclusive and representative of UK society.

52. Sports Councils also committed to work with relevant groups or communities and co-create solutions to deliver real, lasting change and earn their trust. They agreed to work together on five overarching commitments, ensuring these are aligned to their individual strategies and remits, and developing tangible and transparent action plans. These commitments relate to People; Representation; Investment; Systems; and Insights.

53. The most recent progress report was published in July 2022. It outlined sportscotland's progress:

- To underline our commitment to equality, diversity and inclusion, sportscotland created a new internal post specifically aimed at driving this forward.
- We are developing a partnership with Sporting Equals – the first time we have worked with the organisation – to develop specific, practical actions which respond to the TRARIIS recommendations. The partnership will focus on making a positive impact in tackling race inequality through building trust, capacity, and capability within the sport system in Scotland, empowering communities to deliver change and strengthening research and communications.
- We invested into Scottish Kabaddi for the sponsorship of two teams: Glasgow and Edinburgh. We have worked with the organisation to promote the finals of the UK tournament held in Glasgow and covered the event in Sport First, our online digital news hub, Inside Track, our internal newsletter and On Track to raise the profile with our staff and networks.
- We invested in the Scottish National Diversity Conference and Diversity Awards. We will be the lead sponsor for the Sport Award at the awards later this year. Three members of staff and two from our partners, Scottish Sport Futures, were able to attend the conference as part of the EDI L&D.
- We invested into the Scottish Ethnic Minority Sports Association (SEMSA). We were headline sponsor of its annual awards dinner for the first time and

the event was attended by our CEO and senior staff. We also worked with SEMSA to raise the profile of the event.

- sportscotland is working in partnership with Cricket Scotland, and leading anti-racism campaign group, Running Out Racism, on a national campaign aimed at encouraging those involved in the sport at a grassroots level to take a stand against racism, discrimination and inequalities. As part of the #CallItOut campaign, thousands of bat stickers have been sent to all five of Scotland's regional cricket associations. Regional associations are being asked to distribute these to their clubs and members and to promote the campaign using #CallItOut on social media channels. The campaign went live on Friday 17 June and will run across the cricket season with each regional association asked for their support. They will also be asked to identify clubs/programmes that that can be used as case studies showcasing good practice in relation to inclusion and diversity.

Running Out Racism

54. Running Out Racism is anti-racism campaign group launched in January 2022. The group includes players, administrators and fans and has a core aim of driving changes to the way cricket in Scotland is run, so that racism of all forms in cricket can be eradicated.

55. Running Out Racism want to be part of the solution and to have a say in what happens next in the future of the sport. They believe that there is not adequate representation across all areas of Scottish cricket and that the decision-making process is not reflective of the communities the sport serves.

56. Running Out Racism are acting as advocates and supporters for individuals nervous about coming forward and/or wanting support during the process itself. They continue to play a key role in helping people come forward.

57. Since being launched in January 2022, Running Out Racism has engaged regularly with sportscotland and Plan4 Sport. They have been fully engaged in and supported the independent review and all communications activities. This has included help with translation services.

58. They have been in contact to ask for a meeting but Private Office are currently awaiting their response before such a meeting is set up.

Scope of investigation

59. This included an in-depth consultation exercise covering all levels of Scottish cricket, with opportunities to share experiences with Plan4Sport, **sportscotland**, as well as with board/staff members at Cricket Scotland.

60. Central to this piece of work, were interviews and focus groups with the following past and present: grassroots players, coaches, umpires, club volunteers, performance players (men's and women's teams), administrators, regional association

management committees, staff members of Cricket Scotland, and board members of Cricket Scotland.

61. A confidential disclosure process has been created for people to share their personal experiences, with guaranteed anonymity. Where appropriate and necessary, follow-up support, signposting, and further investigation, will be provided. This process started in January 2022 and will be in place for up to six months, with the potential to extend or reduce based on uptake and engagement.

62. All disclosures will be reviewed and responded to individually and if required passed to the relevant authority or agency. This may include: Police Scotland, victim support services, and Cricket Scotland.

63. There will be a comprehensive review of existing Cricket Scotland policies and procedures in line with equality, diversity and inclusion best practice, to ensure that lessons are learned, and that action is taken to address any issues identified as part of this process.

64. There will also be publication of an in-depth report with associated recommendations that Cricket Scotland will take forward and address, with **sportscotland** responsible for holding the governing body and its associations to account on all areas of its implementation. Further community engagement with the individuals and communities most affected by racism in cricket, will take place, ahead of the publication of the recommendations report. This will include a series of meetings to brief identified stakeholders prior to the release of the report.

Hate crime

In December last year we published a report on implementation of the 'Tackling Prejudice and Building Connected Communities' Action Plan.

- The Action Plan, launched in 2017, included actions to improve data and evidence, to raise awareness of hate crime and to encourage reporting.
- Our implementation report shows encouraging progress has been made towards tackling hate crime in Scotland, with successful delivery of the vast majority of actions in the 2017 Action Plan.

However, we know that there is more to be done to tackle hate crime and prejudice in Scotland.

- Building on progress in this area we will work with stakeholders to co-create a new hate crime strategy, to be published later this year.
- The new strategy will help guide how we tackle hatred and prejudice in Scotland and also support implementation of the Hate Crime and Public Order (Scotland) Act.

End of funding for Show Racism The Red Card

65. Unfortunately the (Show Racism the Red Card) charity's latest application to the new Equality and Human Rights Fund was not successful.

66. The fund was significantly oversubscribed with around five times more funding applied for than available – despite an increase in available funding by £1m per year to £7m per annum, for 3 years (£21m total). This led to a highly competitive process and unfortunately it was not possible to fund all of the applications. Clearly the Scottish Government has had to take some very difficult decisions.

67. The fund administrators, Inspiring Scotland, are offering support to organisations in sourcing alternative funding.

Online hatred

68. The rise in use of technology has seen bullying behaviours, hatred and prejudice manifest itself in a much more visible way on social media, which has proven to be a difficult environment to manage. The 2016 Advisory Group recommended that the Scottish Government undertake work with key stakeholders to improve the monitoring of and response to online hate crime and prejudice. In response, we committed to the following action:

69. Engage with key stakeholders to consider further steps to prevent and tackle online hatred and misogyny

70. In his review of hate crime legislation, Lord Bracadale concluded that criminal activity on online platforms is covered by existing hate crime laws; laws that will be consolidated into the Hate Crime Act.

71. However, regulation of the internet, internet services and internet service providers is a reserved matter and falls to the UK Government. In March the UK Government published its draft Online Safety Bill. The UK Government believes the Bill will help protect young people and clamp down on abuse online, while safeguarding freedom of expression.

72. The draft Online Safety Bill requires that social media and other digital platforms remove and limit harmful content, including online hate speech. The Bill will be supported by secondary legislation and Codes and Guidance from the appointed regulator, OFCOM. OFCOM have also been granted enforcement powers which include being able to impose business disruption measures as well as being able to impose large fines.

73. The draft Online Safety Bill also contains a number of important provisions which have the potential to help keep children in Scotland more secure while enjoying all the benefits the internet has to offer, principally tackling illegal activity taking place online and aiming to prevent children from being exposed to inappropriate material.

74. The Scottish Government continues to work with UK Government counterparts in the development and consideration of the proposals for the UK Government's Online Safety Bill for Scotland.

From: [REDACTED](#) on behalf of [Cabinet Secretary for Health and Social Care](#)
To: [REDACTED](#); [Minister for Public Health, Women's Health & Sport](#); [Cabinet Secretary for Health and Social Care](#)
Cc: [REDACTED](#); [REDACTED](#)
Subject: RE: sportscotland/ Cricket Scotland meeting with Cab Sec/ Minister - 30 Aug
Date: 18 August 2022 12:09:49
Attachments: [image001.png](#)

Hi Hilary,

Thanks for your email. I can confirm the invite has now been forwarded to Gordon.

Kind regards,

REDACTED

Diary Secretary

Cabinet Secretary for Health and Social Care
[Scottish Government](#)

From: REDACTED

Sent: 18 August 2022 11:04

To: Minister for Public Health, Women's Health & Sport <MinisterPHWHS@gov.scot>; Cabinet Secretary for Health and Social Care <CabSecHSC@gov.scot>

Cc: REDACTED; REDACTED

Subject: sportscotland/ Cricket Scotland meeting with Cab Sec/ Minister - 30 Aug

Hi,

The meeting scheduled for 30th August between Cricket Scotland, **sportscotland**, Mr Yousaf and Ms Todd was arranged prior to the board of Scottish Cricket stepping down immediately before the report was released. This has resulted in the meeting invites requiring updating. Currently the only member of Cricket Scotland attending will be the interim CEO, Gordon Arthur gordonarthur@cricketscotland.com. Can you confirm that an invite has been forwarded to [Mr Arthur](#).

Thanks
REDACTED

REDACTED

Triage and Policy Officer | Active Scotland Division | Scottish Government | Area 1B South | Victoria Quay | Edinburgh | EH6 6QQ

📧 REDACTED

To find out more about Active Scotland, please visit us on [Twitter](#) or on our [Actify hub](#).

From: REDACTED
To: [Malcolm Dingwall-Smith](#); REDACTED; REDACTED
Subject: RE: sportscotland/ Cricket Scotland meeting with Cab Sec/ Minister - 30 Aug
Date: 19 August 2022 09:53:05
Attachments: [image001.png](#)

Hi Malcolm

I actually think we need a fair bit on this. We are fine in terms of the report and the recommendations. I think there are gaps around what has happened since, so that would be useful to have please. Particularly in terms of what is happening with cricket but also the discussions and actions that are happening with the other SGBs on the topic as no doubt there will be suggestions that if this happened in cricket, where else might it be happening? Stewart mentioned to me that he SS had a session with all SGBs, so details on that would be really helpful. Probably also need info on the latest governance picture within cricket and associated timelines.

I can't remember if I mentioned this, but we have the added facet that Mr Yousaf knows a number of the cricketers involved, who are lobbying him for faster action.

Thanks
REDACTED

REDACTED

Head of Active Scotland | Scottish Government | Area 3J North | Victoria Quay | Edinburgh | EH6 6QQ

 REDACTED



From: Malcolm Dingwall-Smith <Malcolm.Dingwall-Smith@sportscotland.org.uk>
Sent: 18 August 2022 12:08
To: REDACTED; REDACTED; REDACTED
Subject: RE: sportscotland/ Cricket Scotland meeting with Cab Sec/ Minister - 30 Aug

Hi,

When do you need the briefing material from this? How much do you think you need from us? I was on leave but presume you got material through from us when the report was published.

Thanks,
Malcolm

From: redacted
Sent: 18 August 2022 10:48
To: Malcolm Dingwall-Smith <Malcolm.Dingwall-Smith@sportscotland.org.uk>;
[REDACTED](#); [REDACTED](#)
Subject: [EXTERNAL] RE: sportscotland/ Cricket Scotland meeting with Cab Sec/ Minister - 30 Aug

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Thanks Malcolm

REDACTED– are you ok to liaise with Private Office to update the meeting invite?

Thanks
REDACTED

REDACTED

Head of Active Scotland | Scottish Government | Area 3J North | Victoria Quay | Edinburgh | EH6 6QQ



From: Malcolm Dingwall-Smith <Malcolm.Dingwall-Smith@sportscotland.org.uk>

Sent: 16 August 2022 16:29

To: REDACTED; REDACTED; REDACTED

Subject: [sportscotland/ Cricket Scotland meeting with Cab Sec/ Minister - 30 Aug](#)

Hi,

The meeting between ourselves, Cricket Scotland and the Cab Sec and Minister is in the diary for 30 August. However, it was arranged before new interim CEO was appointed, the report was published, and the board stepped down. The two CS reps the invite appears to have gone to (Phil Yelland and Sue Strachan) were both among the group that resigned. Could you arrange for the invite to be forwarded to the new interim CEO, Gordon Arthur gordonarthur@cricketscotland.com. My understanding is he will be the only CS rep at the meeting.

Thanks,
Malcolm

Malcolm Dingwall-Smith | Strategic Partnerships Manager | **sportscotland**
Doges | Templeton on the Green | 62 Templeton Street | Glasgow | G40 1DA

m: REDACTED

w: www.sportscotland.org.uk

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MEETING WITH CRICKET SCOTLAND TO DISCUSS RACISM IN SCOTTISH CRICKET REVIEW AND NEXT STEPS

Tuesday 30 August 2022 – Note of meeting

Attendees

Cabinet Secretary for Health and Social Care
Minister for Public Health, Women's Health and Sport
Gordon Arthur – Interim CEO, Cricket Scotland
Stewart Harris – CEO, sportscotland
John Lunn – Head of sport development, sportscotland
REDACTED – Head of Active Scotland
REDACTED – Head of Delivery, Active Scotland

1. HY opened the meeting by noting how serious and damaging the report about racism into Scottish cricket was. He explained that he was keen to work with sportscotland and Cricket Scotland but also to hold to account.
2. HY added that we collectively need to listened to those people who have bravely spoken out and about the changes they need to take place.
3. HY noted that he would like to use this meeting to understand the current position following the report's publication as well as the plans going forward around the Board, governance and progressing the recommendations, as well as what steps were being taken to ensure Board applicants are diverse and representative of those playing cricket?
4. GA noted that he welcomed the scrutiny and that he is aware they need to give people confidence that things have and will change.
5. GA provided an update on progress:
 - Board recruitment closes on Wed 3 August. There were a number of very good candidates in the running from varied and appropriate backgrounds.
 - On referrals, Sporting Equals, Harper McCloud and Running out Racism were now involved in the process. It was emphasised that there needed to be a process that delivers fair outcomes. JL gave some more detail around the types of referrals and explained that people are looking for different outcomes and they needed to continue to speak to those who had made complaints to explain the process and understand what they wanted. It was noted that triage would be completed in early September.
 - On the Governance Review, Cricket Scotland have asked Harper MacLeod to undertake this, once the new board is in place and that this will consider how disciplinary processes are managed across the sport.
 - The EDI Taskforce is being established with people from a range of backgrounds.
6. HY noted the progress and was happy with the approach. He also noted that they were happy to work with other groups such as Running Out Racism and that this remained important. HY also noted he was pleased with the approach that had been explained around the referrals process,

7. HY asked about the resilience and capacity of the Board and whether four individuals would be enough to drive forward an action plan. Cricket Scotland explained their plans to bolster that over time and ensure specific expertise was brought in as needed.
8. There was a further discussion about the EDI Taskforce and how people would be invited to sit on this.
9. SH explained some of the work that had been taking place around the wider sport piece. He noted that they had met with SGB CEOs the day after the Changing the Boundaries report was published and were continuing to work with them.
10. SH explained that strategic discussions were happening shortly with individual sports which would discuss inclusion plans and this work in more detail. He noted that SGBs were very keen to ensure they understand the problems that may exist in their sports.
11. HY noted that he had been encouraged by what he had heard, and that there was a need for a clear focus on increasing diversity for participation.
12. MY emphasised that sportscotland are committed to this work.
13. HY closed the meeting by thanking everyone for their time and noting that regular progress meetings should be set up.

BRIEFING FOR CABINET SECRETARY FOR HEALTH AND SPORT

Cabinet Secretary for Health and Social Care Briefing – MS Teams Call with Dr Andrew Buist – 9 August 2022

Date and time of engagement	Tuesday 9 August 2022 Time: 16:00-16:45		
Where	Virtual MS Teams meeting		
Who	Attendees: Dr Andrew Buist, BMA Chair	Official Support REDACTED REDACTED	
What	Meeting with the Chair of the Scottish General Practitioners Committee of the BMA.		
Why	You agreed to a one to one meeting with Dr Buist following the visit to his Practice on 6 July 2022.		
Likely themes	<ol style="list-style-type: none">1. Practice Sustainability2. Primary Care Improvement Fund3. GP Contract Implementation4. Hospital at Home		
Briefing Content	Annexes Annex A: Annotated Agenda		

Annex A – Annotated Agenda

Context

The purpose of this meeting is to discuss with Dr Buist a number of issues relating to Primary Care. The meeting has no formal agenda. Following discussion with you and the BMA, we expect the following items to be covered

1. Practice Sustainability

Dr Buist and BMA Scotland have consistently raised the issue of General Practice workforce recruitment and retention with the Scottish Government and within the media following the pandemic and in particular, has recently spoken out about the current immigration policy losing GPs to abroad.

Dr Buist has repeatedly expressed to officials that he is facing a difficult time with his members over workload pressures and an increasing number of practices thinking of handing back their contracts. These sentiments were echoed at a recent Primary Care Leads meeting which is a wider membership than GPs.

We are aware of 5 practice branch closures; 4 practice closures and 8 practices that have or will become salaried in 2022. This is in line with a general trend towards with less practices with bigger practice populations.

Lines to take

GP Sustainability Issues

- I am always concerned to hear about GP sustainability issues. This is why the success of our jointly agreed GP contract is so important in ensuring the future of general practice.

[If practices handing back contracts raised]

- It goes without saying that terminating their contract should really be a last resort for a GP practice – as we recruit more GPs it should become easier for GPs to recruit their successors and for practices to continue
- We recognise that a practice closing can be disruptive for neighbouring practices and dispersing patients is always an unwelcome step. Where this happens, boards should work with practices to find a fair solution that works for patients and practices

GP Recruitment and Retention

- We are significantly investing in a range of recruitment and retention initiatives so that being a GP remains an attractive career choice, including our investment in our new recruitment marketing campaign.
- We are committed to further increasing the number of GPs in Scotland by 800, by 2027, to secure a sustainable service for the future (10 years from end 2017).

- We are making good progress on our commitment: Scotland's GP headcount increased by 277 from 2017 to 2021 (from 4,918 to 5,195).
- In particular, I am pleased that the GP pipeline continues to look promising:
 - For the August 2022 start date, 1,005 posts were advertised at Foundation level and 1,003 of those have filled successfully (99% fill rate).
 - Recruitment into GPST in 2022 has so far been better than any other year on record both in terms of fill rate and headcount. A 100% fill rate has been achieved for the first time ever after 267 posts filled from 267 advertised. For comparison, 263 posts filled in 2021 (98% fill rate) and 245 filled in 2020 (86% fill rate).
- Our strategy for increasing GP numbers is multi-faceted and includes:
 - increasing undergraduate placements;
 - maximising training placements to boost future capacity;
 - incentivising moves to rural practice; and
 - providing a wide range of learning, development and support opportunities for GPs across their whole careers, with our partners.

Immigration Policy – GPs

- We have previously made clear that a 'one-size-fits all' approach to immigration is no longer appropriate and that Scotland needs to explore a distinctive approach.
- International Medical Graduates are vital to our health service and, while visas are a matter for the Home Office, we are looking at ways to expand the Fellowship Sponsor Scheme to keep them delivering for Scottish patients.
- The Scottish Government will continue to press the UK Government on these issues at every available opportunity.
- Officials are in dialogue with NES on potential for fellowship sponsorship and will keep BMA colleagues informed of developments.
- Officials are due to have initial discussions with NES around Fellowship sponsorship on 11 August (which BMA are aware of)

2. Primary Care Improvement Fund (PCIF)

We have shared a draft of the 2022-23 PCIF allocation letter with the BMA. As you are aware, the letter confirms that £170m will be available to support PCIPs this year as we had previously indicated.

However, HSCPs will be required to use reserves (~£50-60m) that they have built up from previous underspends as part of that overall funding envelope (rather than have those available in addition to the £170m, as they had expected).

The BMA have expressed their deep disappointment at this proposed approach, noting that it will damage confidence amongst GPs that phase 1 of the 2018 contract will be delivered within a reasonable timescale, and that it will impact HSCPs, some of whom will already have committed underspends to investment in enabling measures for contract implementation (e.g. premises to allow increased recruitment of MDT).

In addition, BMA consider that the future minimum financial position for the PCIF should be automatic uprating in line with inflation/staff pay as set out in the MoU2. Without such a guarantee, there will be an impact on recruitment as some areas avoid overextending their financial position given expected inflationary pressures. On the latter point, we have adjusted the wording to give some degree of reassurance that ongoing pressures will be taking into account as part of annual budget processes without committing to full uprating in line with inflation (given current levels).

We expect to issue the letter by end of w/c 1 August (so before your meeting with Dr Buist) and we expect the BMA to express their disappointment publicly. We will prepare reactive lines for this.

Lines to take

- We are on the right track and it's important that we maintain momentum on the increasing the number of MDT staff in primary care delivering the priority services agreed under the MoU.
- That is why we have successfully increased the recurring funding available for MDT recruitment from £155m last year to £170m this year.
- I appreciate that you and your members will be disappointed that we are asking you to deploy previous underspends as part of this overall funding envelope.
- While the Scottish Government remains committed to supporting the service in delivering the best outcomes for patients, there is a need to remain agile within our financial management, ensuring that we utilise all fiscal levers available, including the use of available reserves.
- I appreciate that this will especially frustrating where some HSCPs have already earmarked those reserves for potential projects and may need to now revisit those plans in light of the approach we have outlined.
- However, given that HSCPs have been sitting on significant reserves which have been steadily accumulating over a number of years, I consider it a more prudent use of public funds to reinvest such funding than retain in HSCPs reserves, given

considerable financial challenge in 2022-23. Again, important to reiterate the PCIF continues to increase every year which signifies how much priority this programme of work is.

Q: Why not let HSCPs keep a proportion of their reserve or allow them to retain funds where they have already been committed, particular where such spending will enable more MDT recruitment e.g. premises improvements to accommodate more staff?

- I appreciate that the proposed approach may necessitate a review and reprioritisation of existing plans and I'm sorry where this is the case.
- At the same time, we have agreed that new investment from the Primary Care Improvement Fund can now be used for a wider range of costs (such as premises, training, digital, fixed-term contracts and redesign and change management) as long as they support delivery of the MoU MDT and are agreed with the GP Sub-Committee.
- While I appreciate it would be preferable to have this flexibility and retain the reserves as a separate funding source, I would hope that HSCPs and your members could see that this should bring some additional scope to allow them to review plans and identify where the greatest gains can be made across a blend of investment in staff and non-staff costs.
- I am also conscious of the need for HSCPs to have clarity and certainty on funding available and would hope that the letter now gives that, and they can get on with maximising delivery of increased MDT staff within the available envelope, in line with the priorities set out in the MoU.

Q: What about inflationary uplifts? If this isn't guaranteed it will impact on recruitment as HSCPs won't want to overextend themselves.

- As set out in the letter, I have agreed that £170 million will be the minimum budgeted position for future years.
- As part of this, where Partnerships have used the full £170m minimum budgeted position, Scottish Government will ensure additional funding is available to apply agenda for change uplifts to staff recruited through the PCIF.
- Any further investment will be subject to joint assessment and benefits case at each annual budget round.

3. GP CONTRACT IMPLEMENTATION

PHASE 1

Beyond funding, Dr Buist has recently expressed general concerns that there is growing pessimism amongst BMA members that it is too slow and not delivering a meaningful reduction in GP workload, which will impact on practice sustainability, and that workforce faces an overwhelming task of trying to return to normality while managing significant backlogs and higher incidence of mental health issues in population.

Lines to take

- I want to assure you that I am committed to full implementation of the contract. It is the right approach to ease workload pressures, continue to ensure general practice is an attractive career choice and enable your members to spend more time as expert medical generalists.
- Despite the challenges of the pandemic, by March 2022, nationally 3,220 whole time equivalent (WTE) staff were recruited to be part of multi-disciplinary teams. That included 793 WTE recruited in 2021-22, a record year for MDT recruitment.
- We have strong governance in place at a national level with professional governance groups established (Pharmacotherapy/Vaccinations, in place, CTAC under development) and the national oversight group.
- We've always sought to jointly develop policy with the SGPC and phase 1 of the contract being an excellent example of our successful collaboration. It's important we continue to be seen as supporting the policy intent and areas of service transfer we agreed that would make the biggest difference and we signed up to in the MoU.
- We have also received lots of positive feedback from key stakeholders, including HSCPs, that the MDT is making a significant difference on the ground and the collaborative approach taken through the MDT is leading to better co-ordination of patient care and better outcomes.

PHASE 2

You last met with officials to discuss Phase Two on 20 June. As you will recall, Phase Two (as set out in the 2018 GP Contract Offer) is about reforming how practices are currently funded and ensuring the necessary GP parity with consultants by developing an income scale for GPs. This is a significant opportunity to align practice funding better with patient need, clinical priorities and ensure long term value for money.

It will also include changing the way that practice expenses (for non GP staff and costs of running a practice) are allocated.

The critical outcome of Phase Two is breaking the link between GP income and practice expenses so that GPs will have assurance and clarity on what they will earn during their career. Currently, if expenses rise (especially a risk with current inflationary increases) then GP income can be adversely affected. Conversely, in some cases GPs can choose to take higher earnings by reducing expenses leading to considerable variation in GP earnings across Scotland.

Phase 2 would also determine GP inputs supported by a robust data picture across Scotland to ensure General Practice delivery is better aligned to patient need.

Our last negotiations with the BMA on 27 July were positive during which both sides agreed a set of aims that will define the model that we will jointly develop. Prior to this the BMA shared their proposal and have welcomed our response to that which signals we are on the same page

We agreed that we would continue to develop and refine our two proposals, drawing them together to form a potential model for Phase Two.

Dr Buist will be keen to announce progress on Phase Two at the BMA's conference in early December.

As noted in our submission of 25 May we are proceeding with plans for a further General Practice income and expenses data collection exercise the results of which will inform our negotiations. We hope to launch this exercise in September.

Resource Spending Review processes means any final proposal will need to be fully costed and have a robust business case. It will need to link to not only wider SG policy (e.g. child poverty, Care and Wellbeing portfolio and NCS) but also improved patient access and outcomes.

Lines to take

- We remain committed to Phase Two of the 2018 GP Contract and ensuring the stability and sustainability of general practice. My officials had a positive meeting with you to progress Phase Two on 27 July.
- In delivering Phase Two we need to show how we can enhance both access and services to patients, with better alignment between the workforce and patient need.
- In delivering our joint aims of improving stability, sustainability, patient access and targeting areas of greatest need, better data about general practice is fundamental.
- Data will underpin any business case for further investment in General Practice. Key to this will be demonstrating robustly how investment delivers on our shared aims.
- We plan to re-run the GP income and expenses data collection exercise later this year and it is important that we both work together to support this.

BMA Proposal

REDACTED exemption 29(1)(a) policy development

SG Response

REDACTED exemption 29(1)(a) policy development

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4. Hospital at Home

During your visit to Dr Buist's practice, Dr Buist raised his belief that hospital at home was "expensive". You asked to hear more about Dr Buist's view on this programme being expensive at this meeting.

Lines to take

- Following my visit to your practice we briefly touched on your concerns around the cost of Hospital at Home and I'm interested to hear your view on this from a GP perspective.
- I understand that all the NHS boards and HSCPs we are supporting have an evaluation plan which includes capturing feedback from GPs.
- Research suggests that comprehensive geriatric assessment in an admission avoidance hospital at home can be a cost-effective alternative to hospital.
- It has also found benefits in terms of fewer days in hospital and lower residential care costs.
- All the NHS boards and HSCPs are supporting have an evaluation plan which includes capturing feedback from GPs.
- It is important that Hospital at Home services dedicate significant time developing relationships with GPs to facilitate referral and discharge pathways. For example, NHS Fife uses an MS Teams channel for GP referrers to be able to see live capacity and information on how to refer.
- When designing a new service, representatives from the teams have undertaken significant engagement with GP clusters and practices to build trust and confidence in the service that is ultimately in the patients interest.

Note of Meeting

Cabinet Secretary and Dr Andrew Buist SGPC

9 August 2022

In attendance:

Cabinet Secretary for Health and Social Care
Dr Andrew Buist, Chair SGPC
REDACTED, Primary Care
REDACTED, Primary Care
David Prince SGPC

GP Workload

AB noted We are at the end of the pandemic but things feel more difficult and demoralising. It's becoming more difficult to manage patients in the community, especially with secondary care backlogs.

Cab Sec noted that less correspondence coming into his inbox regarding general practice. AB noted he had had 3 letters from MSPs yesterday.

AB noted practices are frustrated at progress of contract implementation. AB still thinks contract is the right course but is concerned about conference in December. AB noted ideas proposed by primary care directorate for Phase Two were sensible but would take time to implement. Progress required more urgently.

Cab Sec noted he is looking at pension issues within his gift and would hope to make an announcement soon. He noted workload remains key issue and remarkable progress at delivering multi-disciplinary teams over last years albeit not a replacement for GPs. Cab Sec is also considering winter and wondering what we can do to support Out of Hours.

AB noted we need to work on the productivity from area to area of multi-disciplinary teams as this was variable. AB noted we need more direct investment in the practice workforce, especially for mental health and urgent care. If GPs could engage people with these skill sets and directly manage them it would make an immediate impact.

Action - Officials to work with AB on the specifics of this proposed investment.

AB noted Lewis Ritchie's recommendations re: pensions would be an effective means to incentivise Out of Hours working i.e. provide an option not to superannuate Out of Hours work.

Action – Cab Sec asked officials to provide a specific update on this matter.

AB noted conference will look to see considerable investment in General Practice. Cab Sec noted he is reminding colleagues that NHS is still managing a pandemic and manage expectation of NHS.

DDRB

AB mentioned pay uplifts. He specifically focused on expenses and noted 4.5% will not be enough to meet heating, lighting costs over this winter. Cab Sec noted sympathy for AB's position but there is currently significant over commitment on the current budget. He committed to looking at what the art of possible is but not hopeful of being able to do something here.

Action – Cab Sec will review the expenses update but without new monies any further increase seems unlikely.

Premises

AB mentioned premises and need for a programme to refit and replace old buildings. We could have a ringfenced budget for primary care investment. Cab Sec in general does not subscribe to ringfencing but open to exploring this. He noted recent development of centres in Parkhead and Inverclyde.

Actions - Officials to explore ringfencing options before the SLMC GP Conference (December 2022).

Remobilisation Recovery Group

AB mentioned the remobilisation and recovery group and what current plans are. Cab Sec noted he is currently getting input directly. He has asked officials to explore value in restabilising a group to ensure stakeholders feel engaged in the process.

Action – Cab Sec (Private Office) will seek an update from officials.

Hospital at Home

AB mentioned Hospital at Home. He does not think it should be a priority when community services are struggling. He does not think it is reproducible at scale. Cab Sec suggested a meeting with Helen Maitland and Graham Ellis to work through this. AB also noted his ongoing opposition to Redesign of Urgent Care.

Action – AB to discuss Hospital at Home with REDACTED and Graham Ellis
Action – Cab Sec to pick up Hospital at Home with REDACTED and Graham Ellis

Next Meeting

Cab Sec noted that next catch up should be before the SLMC GP conference in December 2022.