

# **Scottish Government response to Mental Health Scrutiny and Assurance Review**

**April 2024**

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## Introduction

The Scottish Government would like to thank the authors of the review for their work in writing this report, as well as the constructive engagement of key stakeholders as part of the research for the review.

The Scottish Government is grateful for the work of scrutiny bodies in providing assurance and supporting improvement in the quality and safety of mental health services. This report makes a number of recommendations where there are areas to strengthen and improve the current system of assurance within mental health services.

## Background

This review fulfils a recommendation from David Strang's [Independent Review of Mental Health Services in Tayside](#), which advised the Scottish Government to conduct a national review of the scrutiny and assurance of mental health services, including the powers of HIS and MWC. The Tayside review noted that at a national level, scrutiny and oversight of mental health services in Scotland is limited. It also stated that organisations including Healthcare Improvement Scotland (HIS) and Mental Welfare Commission (MWC), have limited powers to monitor and enforce the recommendations they make. This review also considered the role of the Care Inspectorate (CI), due to their wider role in relation to mental health within care services and the relevance of their working relationships with HIS and MWC.

The aim of this Mental Health Scrutiny and Assurance Review was to inform the Scottish Government's considerations around the scrutiny and assurance of mental health services, mapping current arrangements and possible improvements to strengthen these. Ultimately, this work will contribute to the future of scrutiny and assurance of mental health services in Scotland, ensuring they are safe, timely, effective, person-centred and delivered for service users in equitable ways.

The Scottish Government has considered the report and this initial high-level response to the main conclusions of the Review sets out our intentions, centred around the key themes and recommendations.

## Response to review recommendations

The recommendations from the review have been grouped into the following themes:

- Coordination, joint working and leadership (recommendations 1, 2, 3, 4, 5)
- Inspection focus, scheduling and system coverage (recommendations 10, 14)
- Lived experience (recommendation 6)
- Data and information sharing (recommendations 9, 11)
- Implementation of inspection recommendations and follow-up support (recommendations 8, 13, 15)

## **Coordination, joint working and leadership**

We recognise the need to simplify the system and continue to better align the work of the scrutiny bodies, in order to support joint working between organisations. Following this review, we will work to clarify and simplify the roles and responsibilities of scrutiny bodies in order to avoid any areas of unnecessary duplication and support effective joint working.

We will continue to work with scrutiny bodies to support them to work closely together, both with regards to information sharing and joint scrutiny activity. Improved coordination of inspections and visits and greater joint inspection activity will help to avoid any unnecessary duplication of effort, ease the burden on services and allow for the full utilisation and sharing of experience and expertise between scrutiny bodies.

Scottish Government supports the recommendations which call for stronger collective leadership between scrutiny bodies and acknowledge the parallel with similar recommendations from the Scottish Mental Health Law Review. The NSACG (Mental Health and Learning Disability National Scrutiny and Assurance Coordination Group (NSACG)), set up in 2022, has aimed to support closer working between organisations but a review of the aims and role of this group will be undertaken to ensure that it provides the appropriate platform to facilitate collaboration between scrutiny partners. Changes to the role and remit of the NSACG and the collective leadership of scrutiny bodies more widely, must support the independence of individual organisations and their powers and duties as set out in legislation while ensuring a more co-ordinated and efficient approach.

We welcome the recommendation for scrutiny bodies to support the implementation of the Core Mental Health Standards. The standards set out what good mental health services look like and thus should be used to support services to improve the way in which they are delivered. We support the use of the standards by scrutiny bodies, both individually and as a 'joint framework' to support joint working between scrutiny bodies.

## **Inspection focus, scheduling and system coverage**

Scottish Government supports the recommendations around improving the equity of scrutiny across mental health services, including with added focus on Community, Intellectual Disability (ID) and Child and Adolescent Mental Health Services (CAMHS). We will work with scrutiny bodies to support improvements in coverage of appropriate scrutiny to provide the necessary assurance that all services are delivering safe, timely, effective and person-centred care.

With regards to the recommendations relating to regular and risk-based inspection scheduling, inspections must be proportionate, do not add unnecessary burden to services and are realistic for scrutiny bodies to deliver within current resourcing.

## **Lived experience**

The Scottish Government strongly supports the recommendations to strengthen the involvement and focus on people with lived experience in scrutiny activity, including

at senior levels. We recognise that scrutiny bodies already actively involve people with lived experience in their scrutiny activity and their involvement and role should continue to be strengthened, in order that scrutiny reflects what is important to the people who use services.

### **Data and information sharing**

The Scottish Government welcome the recommendations around improving digital infrastructure to support safe and secure data sharing between organisations. The wider use of the National Education for Scotland (NES) system, as recommended by this review, will be explored.

The recommendation relating to improving data in relation to quality of care is welcomed and already considered a key priority for the Scottish Government, as we look to implement and measure the new Mental Health and Wellbeing Strategy and Core Mental Health Standards.

### **Implementation of inspection recommendations and follow-up support**

The recommendations relating to the powers held by scrutiny bodies will be taken into consideration alongside the recommendations from the Scottish Mental Health Law Review and the Independent Review of Inspection, Scrutiny and Regulation. We want to ensure that all scrutiny body partners have the necessary powers to be able to follow-up on their recommendations and support improvement within mental health services.

The recommendation around strengthening follow-up support to Boards, including through spreading good practice, should be considered collectively by scrutiny body partners to ensure that inspection activity is as impactful as possible. Greater awareness raising and improved understanding of scrutiny and governance within Health Boards and IJBs, should also be beneficial in supporting the impact of scrutiny and assurance activity.

### **Implementing the recommendations**

The Scottish Government intends to continue to work closely with key stakeholders, including scrutiny bodies, to develop a framework for mental health scrutiny and assurance. The framework will ensure that we have improved arrangements in place to assess and drive progress in the quality and safety of mental health services, leading to better outcomes for people and a reduction in inequalities in experience and access to services. The framework will have the voices of lived experience at its heart and will build on the foundation established by the Mental Health and Wellbeing Strategy and the Core Mental Health Standards, both published in 2023, which clearly set out what good services should look like. We aim to develop the framework by summer 2024.

This review is closely linked to other recently completed reviews commissioned by the Scottish Government. The Scottish Mental Health Law Review (published in September 2022) and the Independent Review of Inspection, Scrutiny and Regulation (published in September 2023) both have overlapping remits and recommendations with this review and thus our framework will also take into

consideration the findings and recommendations of these reviews together as a package of work.

The framework will shape the roles and next steps of the Scottish Government and partners moving forward, supporting the work of a re-energised NASCG. Progressing these wider recommendations, will in some cases, take time to implement and may, in the longer-term, require legislative change to fully actualise. This will have consequences in terms of the speed in which they can be implemented. Some recommendations may have resource implications. The pace at which these progress will therefore be dependent on resourcing and the wider financial challenges facing all partners.



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