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Convenor,
Health, Social Care and Sport Committee
Scottish Parliament

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28 November 2023

Dear Convener

I am writing to provide an important update on the Coming Home Implementation programme, led jointly by the Scottish Government and COSLA, which set an ambitious aim to reduce delayed discharges and inappropriate out-of-area placements for people with learning disabilities and complex care needs by March 2024.

We have been working on the key recommendations at pace since the publication of [the report](#) in February 2022 under the principles of co-design with people with lived experience, COSLA, Integration Authorities and sector practitioners across Scotland. Members may be aware that in 2021 we provided £20 million of dedicated funding to Integration Authorities to support work under our Community Living Change Fund.

Dynamic Support Registers

One of the Report's key recommendations was implemented in May 2023 when we launched the new national Dynamic Support Registers. These Registers are predominantly locally held tools which improve case management of people with learning disabilities and complex care needs. This is an important step towards achieving the Coming Home vision and will help local areas to sustainably plan for this population to live in their home communities.

The Registers are underpinned by a [Memorandum of Understanding](#) between the Scottish Government and COSLA, setting out the joint expectations on Integration Authorities to hold and operate a Register.

Working with Public Health Scotland (PHS), we have developed a new national reporting system through which Integration Authorities submit data from their local Registers. I know accurate data is critical to successful policy implementation and I am committed to open and transparent progress on this. This is why COSLA and I have agreed to a bi-annual publication of this data by PHS.

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I am pleased to inform you that the first national publication of data from Dynamic Support Registers has published today and is [available here from Public Health Scotland](#).

This publication provides new, valuable and importantly regular data on this population that has not previously been routinely collected on a national basis. I am confident that this new data will bring much needed visibility, and with it accountability for people with learning disabilities and complex care needs, particularly those who have been delayed from hospital discharge or living inappropriately out-of-area for too long.

The PHS publication shows that within just three months of launching, all local areas are utilising the registers and recorded 1243 adults across Scotland – providing for the first time data on Scotland’s complex care population.

As of the collection date, 171 of those people are in hospital, of which 86 are considered delayed from discharge. 130 people are recorded as living in an inappropriate out-of-area placement.

I acknowledge that these figures do not show the change we aspired to in February 2022 when we set a two year ambition. It remains completely unacceptable that people with learning disabilities and complex care needs are spending longer in hospital than is medically necessary and living far away from their homes and families.

However, I am encouraged that we now have full, robust data on this population which provide a baseline from which to make progress, and which will inform future planning.

It is important to highlight that the data published by PHS today cannot be directly compared to the data published in the [2018 Coming Home Report](#). This is because Glasgow City Health and Social Care Partnership did not partake in the 2018 data collection, and the definitions and data categories do not directly correlate given updates to policy since 2018.

I would encourage committee members to read the data publication in full and enquire about progress and plans with their local Integration Joint Board who operate the Registers and have the statutory responsibility for providing services.

Coming Home progress

In relation to the other key recommendations, I am pleased to inform you that Scottish Government has commissioned Healthcare Improvement Scotland (HIS) to run the Practitioner Peer Support Network, fulfilling another of the key recommendations set out in the Report.

The Practitioner Peer Support Network will bring together professionals from a range of disciplines, as well as people with lived experience, to learn and share best practice, and to get support with planning services for individuals with particularly complex care needs. The network will be launched as soon as recruitment has completed.

I am also pleased to confirm that we are exploring how the proposed Learning Disability, Autism and Neurodivergence Bill can strengthen our work on the Coming Home programme, in particular the recommendation to establish a National Support Panel and whether opportunities exist to strengthen the work on the Dynamic Support Registers. A public consultation will launch by the end of 2023.

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Going Further

I hope this demonstrates that we are making strong progress on the Scottish Government recommendations. Yet we are going further and in addition, are working with people with lived experience and sector experts to develop a new Complex Support Needs Pathway, which will contain person-centred guidance to support local areas to achieve successful and timely discharge for people with learning disabilities and complex care needs.

We recognise the vital support that families and people with lived experience need during what can be an extremely distressing and traumatic time. We are exploring opportunities to increase support for families through peer support.

I have also made sure that we embed our work on the Coming Home programme across government.

Thinking further about the benefits that joined up services and a skilled workforce can bring to our Coming Home ambitions, we are exploring opportunities to benefit from the work on the National Care Service for national commissioning. This approach would see some specialist services commissioned at a national level by agreement, on a once-for-Scotland basis, for people with very complex care needs. This will ensure that human rights remain at the centre of care and ensure high, consistent service quality for people needing care.

We are continuing to support best practice for people with learning disabilities and complex needs in the form of Positive Behavioural Support (PBS) which is a human rights-based framework. PBS aims to understand how to best support someone by understanding their needs and then focusing on adaptations to the environment and to the service to meet those needs.

The Scottish Government funded PBS Community of Practice has produced a range of free resources and is supporting continuous improvement aimed at ensuring practitioners can provide quality services for people with learning disabilities and complex care needs. This includes a dedicated workstream with education colleagues and CAMHS specialists to look at measures to address the breakdown of support services for children and young people with complex care needs and prevent admission to hospital.

Scotland's National Autism Implementation Team (NAIT) have also been funded to establish a network to support professionals working with autistic people to discuss support models, including alternatives to PBS.

Continuing our prevention work, annual health checks for people with learning disabilities have been evidenced to be clinically effective in detecting unmet clinical conditions, and in improving the management of long-term conditions ensuring people with learning disabilities are admitted to hospital only when it is medically necessary. We have committed £2 million per year to NHS Boards to implement annual health checks across Scotland.

We are establishing a new Reform Programme to begin the process of updating and modernising Scotland's mental health legislation. I know there are strong views from stakeholders about the inclusion of learning disabilities and autism within mental health law. This is a complex and sensitive issue and I absolutely recognise the concerns of many

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people with a learning disability, autistic people and organisations that advocate with or on their behalf.

I can confirm that work has already started to consider the definition of mental disorder and who should be included within the scope of mental health law in future. We are considering the differing recommendations from the Independent Review of Learning Disability and Autism in the Mental Health Act (Rome Review) 2019 and Scottish Mental Health Law Review (SMHLR) 2022.

The Independent Review into Forensic Mental Health Services (“Barron Review”) made a number of recommendations relating to the improvement of forensic learning disability services. We are continuing to work with stakeholders and are making progress in identifying and removing barriers to delivery.

Finally, I am keen we work closely with stakeholders to actively consider best use of our NHS estate in relation to complex care.

Beyond March 2024

I have set out the progress made nationally by the Scottish Government and local areas and hope you are reassured that across Scotland we have a clear plan, nationally, regionally and locally for ongoing and future work. We are seeing significant service redesign across local areas which will bring benefits for people with complex care needs well beyond March 2024.

We know however that the timescales associated with this work, in particular commissioning and building new housing, take time to deliver. When we set this target, we had no idea of the unprecedented and significant ongoing impact that both the Covid-19 pandemic and the cost of living crisis would have.

I have listened to COSLA and local areas who have told us about the challenges faced in delivering all the change we all aspired to, and I recognise the challenges around recruitment of staff that face both social care services and NHS services, and understand the impact this will have had on the Coming Home work.

Everyone has a right to live in a home in their own community and to receive the support to do so, and I want to see this happen for people with learning disabilities and complex care needs. The March 2024 target was rightly ambitious, but my message is that this work remains a priority for me, the Scottish Government, COSLA and local areas, and will require sustained and consistent focus, both now and beyond March 2024.

Yours Sincerely,



Maree Todd MSP
Minister for Mental Wellbeing, Social Care and Sport

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