

## **ISLAND COMMUNITIES IMPACT ASSESSMENT TEMPLATE**

Please ensure this template is completed in conjunction with the Island Communities Impact Assessment (ICIA) Guidance on the Scot Gov Website.

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| Name of Policy, Strategy or Service | The National Health Service (Scotland) Act 1978 (Independent Health Care) Modification Order 2024<br>The Public Services Reform (Scotland) Act 2010 (Commencement No. 8) Order 2024<br>The Healthcare Improvement Scotland (Inspections) Amendment Regulations 2024<br>The Healthcare Improvement Scotland (Fees) Regulations 2024<br>(referred to in this impact assessment as “the SSIs”) |
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### **STEP ONE – DEVELOP A CLEAR UNDERSTANDING OF YOUR OBJECTIVES**

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| <ul style="list-style-type: none"> <li>• What are the objectives of the policy, strategy or service?</li> <li>• What are the intended impacts/ outcomes and how do these potentially differ across the islands?</li> </ul> | <ul style="list-style-type: none"> <li>• The objectives of the SSIs are;             <ul style="list-style-type: none"> <li>○ Enabling Healthcare Improvement Scotland (“HIS”) to regulate independent clinics where services are provided by pharmacists and pharmacy technicians.</li> <li>○ Giving HIS power to de-register independent healthcare services that fail to pay continuation fees.</li> <li>○ Enabling HIS to regulate independent medical agencies (“IMAs”) including online-only independent healthcare services based in Scotland. As part of the proposal to commence HIS’ functions in relation to IMAs, the definition of IMAs will be amended to be aligned with the list of healthcare professionals in the definition of independent clinic, including the addition of pharmacists and pharmacy technicians.</li> <li>○ Allowing inspectors, authorised by HIS under section 10K of the National Health Service (Scotland) Act 1978, to inspect medical records (currently inspection of records is restricted to certain health professionals).</li> <li>○ Enabling HIS to prescribe the maximum fees in relation to Independent Medical Agencies along with the ability to raise the maximum fees for all independent healthcare services in regards to: applications for registration or cancellation of registration; annual continuation of any such registration and application for the variation or removal of a condition of registration.</li> </ul> </li> <li>• There is no evidence to suggest that the above objective/impacts/outcomes will vary across the islands or differ from the impact on mainland services. No specific group will be affected by geography.</li> <li>• We recognise that these amendments may impact service users differently in unforeseen ways. There could be variations in impact due to the fact that independent healthcare services are much more</li> </ul> |
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|  | prevalent on the mainland, or we may see a positive impact on people in more remote and rural locations once online businesses registered in Scotland are now regulated. |
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**STEP TWO – GATHER YOUR DATA AND IDENTIFY YOUR STAKEHOLDERS**

- What data is available about the current situation in the islands?
- Who are your key Stakeholders?
- How does any existing data differ between islands?
- Are there any existing design features or mitigations in place?

- We have no data on the number of independent clinics where services are provided by pharmacists and pharmacy technicians or IMAs (including online only services) that are based in the islands or in the mainland. This is due to such services not being currently regulated by HIS. The SSI to amend the maximum fees that HIS can charge will impact all existing and future independent healthcare services regulated by HIS.
- Key stakeholders include:
  - Healthcare Improvement Scotland
  - General Pharmaceutical Council
  - Pharmacists/Pharmacy Technicians
  - Independent healthcare providers regulated by HIS
  - People living on islands who might access independent healthcare services
- There are 595 independent healthcare services in Scotland currently regulated by HIS. 26 are located in the Highlands; two are located in Stornoway; one is located on Orkney; and two on Shetland.
- There are no existing design features or mitigations in place.

### STEP THREE - CONSULTATION

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| <ul style="list-style-type: none"><li>• Is there are information already gathered through previous engagements?</li><li>• How will you carry out your consultation and in what timescales? Public meetings/Local Authorities/key Stakeholders</li><li>• What questions will you ask when considering how to address island realities?</li><li>• Separate consultation events for Island communities/Local Authorities?</li></ul> | <ul style="list-style-type: none"><li>• We launched a public consultation seeking views on amendments to the regulation of independent healthcare. The consultation ran for 12 weeks between 1 February 2023 – 26 April 2023. We conducted an internal analysis of these responses.</li><li>• The aim was to put together a full package of Scottish Statutory Instruments, with all proposed changes made at the same time. Any implementation of the above mentioned changes, especially regulating independent medical agencies (IMA) for the first time, could not however proceed without the fees regulations, which was omitted from the previous consultation.</li><li>• Therefore, a further consultation was undertaken, introducing the proposed maximum fees that HIS would be able to charge IMAs, as well as amending maximum regulation fees that HIS can charge for all independent healthcare services and providers. This consultation ran for 8 weeks between 16 October 2023 – 11 December 2023.</li><li>• The second consultation was a short (8 week), technical consultation process. The fees issue is specific to independent healthcare services, and it was important to engage with a range of key independent healthcare service providers on this topic.</li><li>• The SSIs will apply in the same way across Scotland and there was no specific question on the impact on island communities included in the second consultation. We do not consider there to be a requirement for a separate consultation event for the islands.</li></ul> |
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## STEP FOUR - ASSESSMENT

- Does your assessment identify any unique impacts on island communities? (Further detail in the Guidance):
  - Demographic
  - Economic
  - Gaelic
  - Social
- Does your assessment identify any potential barriers or wider impacts?
- Are there mitigations already in place for these impacts raised?

No unique impacts on islands have been identified.

No potential barriers or wider impacts have been identified and no mitigations required.

## Is a full Island Communities Impact Assessment required?

You should now determine whether, in your opinion, your policy, strategy or service is likely to have an effect on an island community which is significantly different from its effect on other communities (including other island communities). To form your opinion, the following questions should be considered:

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| <ul style="list-style-type: none"> <li>• Are there mitigations in place for the impacts identified and noted above from stakeholders and community consultations? (If further ICIA action is not required, complete the section below and publish).</li> <li>• Does the evidence show different circumstances or different expectations or needs, or different experiences or outcomes (such as levels of satisfaction, or different rates of participation)?</li> <li>• Are these different effects likely?</li> <li>• Are these effects significantly different?</li> <li>• Could the effect amount to a disadvantage for an island community compared to the mainland or between island groups?</li> <li>• If your answer is 'no' to the above questions, please complete the box below.</li> <li>• If the answer is 'yes', an ICIA must be prepared and you should proceed to Step 5.</li> </ul> | <p>The introduction of further regulation of independent healthcare services is required to ensure that the care provided to people across Scotland, including the island communities, is safe, and appropriate.</p> <p>No impacts identified, so no mitigation plans required.</p> <p>No differences in circumstances, expectations, needs, experiences, or outcomes.</p> |
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**A full Islands Community Impact Assessment is NOT required**

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| <p>In preparing the ICIA, I have formed an opinion that our policy, strategy or service is <b>NOT</b> likely to have an effect on an island community which is significantly different from its effect on other communities (including other island communities). The reason for this is detailed below.</p> |  |
| <p>Reason for not completing a full Islands Communities Impact Assessment:</p>   |  |
| <p>No impacts on island communities have been identified. There will be no differences in circumstances, expectations, needs, experiences, or outcomes for island communities.</p>   |  |
| Screening ICIA completed by (name)   | Robert Law   |
| Position   | Senior Policy Manager – Quality and Safety Team      |
| Signature and date   | Robert Law / 15 <sup>th</sup> March 2024             |
| ICIA authorised by (we recommend DD level)   | Lynne Nicol  |
| Position   | Deputy Director - Healthcare Quality and Improvement |
| Signature and date   | Lynne Nicol 10 April 2024                            |