

Proposed Wheelchairs (Short-term access) (Scotland) Bill

Introduction

A proposal for a Bill to ensure the provision of wheelchairs to anyone assessed as needing one on a short-term, as well as on a long-term, basis. The consultation runs from 8 April 2019 to 30 June 2019. All those wishing to respond to the consultation are strongly encouraged to enter their responses electronically through this survey. This makes collation of responses much simpler and quicker. However, the option also exists of sending in a separate response (in hard copy or by other electronic means such as e-mail), and details of how to do so are included in the member's consultation document. Questions marked with an asterisk (*) require an answer. All responses must include a name and contact details. Names will only be published if you give us permission, and contact details are never published – but we may use them to contact you if there is a query about your response. If you do not include a name and/or contact details, we may have to disregard your response. Please note that you must complete the survey in order for your response to be accepted. If you don't wish to complete the survey in a single session, you can choose "Save and Continue later" at any point. Whilst you have the option to skip particular questions, you must continue to the end of the survey and press "Submit" to have your response fully recorded. Please ensure you have read the consultation document before responding to any of the questions that follow. In particular, you should read the information contained in the document about how your response will be handled. The consultation document is available here: [Consultation document Privacy Notice](#)

I confirm that I have read and understood the Privacy Notice attached to this consultation which explains how my personal data will be used

About you

Please choose whether you are responding as an individual or on behalf of an organisation. Note: If you choose "individual" and consent to have the response published, it will appear under your own name. If you choose "on behalf of an organisation" and consent to have the response published, it will be published under the organisation's name.

on behalf of an organisation

Which of the following best describes you? (If you are a professional or academic, but not in a subject relevant to the consultation, please choose "Member of the public".)

No Response

Please select the category which best describes your organisation

Public sector body (Scottish/UK Government/Government agency, local authority, NDPB)

Optional: You may wish to explain briefly what the organisation does, its experience and expertise in the subject-matter of the consultation, and how the view expressed in the response was arrived at (e.g. whether it is the view of particular office-holders or has been approved by the membership as a whole).

Southeast Mobility And Rehabilitation Technology (SMART) Services are an NHS Lothian service (hosted by the Edinburgh Health and Social Care Partnership) that provides a wide range of rehabilitation

Please select the category which best describes your organisation

technology services for the South East of Scotland, covering Lothian, Fife and the Borders health boards. These include mobility and postural services (wheelchairs and special seating), prosthetics, orthotics, environmental controls, blue badge independent mobility assessment (Edinburgh only), custom design service, a disabled living centre and gait analysis service. We also provide a national driving assessment service. The views expressed are those of the staff and management of the SMART Services directly involved with or responsible for the Wheelchair and Seating Service. The views expressed are not representative of NHS Lothian nor the Edinburgh Health and Social Care Partnership.

Please choose one of the following:

I am content for this response to be published and attributed to me or my organisation

Please provide your name or the name of your organisation. (Note: the name will not be published if you have asked for the response to be anonymous or "not for publication". Otherwise this is the name that will be published with your response).

Dr Michael J Dolan

Please provide details of a way in which we can contact you if there are queries regarding your response. Email is preferred but you can also provide a postal address or phone number. We will not publish these details.

Aim and Approach

Q1. Which of the following best expresses your view of establishing a duty to provide a wheelchair to anyone who has been assessed as having a short-term need for one (defined as less than 6 months)?

Neutral (neither support nor oppose)

Please explain the reasons for your response.

It depends on who is providing the service and how it is resourced. There is a risk that if it is inadequately resourced there will be an inequity of provision across Scotland, and if provided by existing NHS wheelchair and seating services it could have a negative impact on the service for long-term wheelchair users. If resourced properly with appropriate governance and accountability the service could address current inequities and if provided by existing NHS wheelchair and seating services there is potential for benefits of scale reducing overall costs.

Q2. What is your view on setting a target for providing a wheelchair to a person who (a) has been assessed as having a short-term need for one and (b) is otherwise ready to use it?

Another target (please specify)

Please explain the reasons for your response

Targets (and priorities) should be consistent with those for long-term wheelchair users as set out in the

Q2. What is your view on setting a target for providing a wheelchair to a person who (a) has been assessed as having a short-term need for one and (b) is otherwise ready to use it?

Quality Improvement Framework and Clinical Healthcare Quality Standards for Wheelchair & Seating Services (NHS Scotland / Scottish Government, May 2012). If necessary these standards should be reviewed and updated to reflect the need to address short-term wheelchair use. The National Eligibility Criteria (NHS Scotland / Scottish Government, various dates) will also need to be updated to reflect any changes in service remit and qualifying factors.

Q3. Which of the following best expresses your view of where the Bill should place the duty to provide short-term access to wheelchairs to people assessed as needing them?

Duty placed on NHS Boards

Please explain the reasons for your response.

The duty to provide existing Wheelchair and Seating Services rests with territorial health boards. These can (and mostly do) form regional consortia to provide a cost effective, efficient and sustainable service. In addition, most short-term use will arise due to acute onset of an illness or an injury and the need for a wheelchair will be first identified by a healthcare professional based within an acute hospital setting.

Q4. Which of the following best expresses your view of how further provision about wheelchair access (e.g. assessment criteria and eligibility) should be made?

Ministers should have power to make regulations, give directions, and guidance

Please explain the reasons for your response.

To ensure consistency across Scotland and to avoid duplication of work, the service remit, performance targets and eligibility criteria should be defined nationally.

Q5. Which of the following best expresses your view of requiring Scottish Ministers to report back to the Parliament on the operation of the legislation?

Other (please specify)

Please explain the reasons for your response.

Initially, more frequent reporting would be needed to ensure the service is being embedded in routine practice (so every year) and reducing in frequency in line with other legislation or defaulting to reporting to NHS Healthcare Improvement Scotland (see below) with a frequency consistent with the other services that they oversee/quality assure. Long-term reporting should be consistent with the Quality Improvement Framework and Clinical Healthcare Quality Standards for Wheelchair & Seating Services (NHS Scotland / Scottish Government, May 2012). Currently there is no national governance around these standards and each of the five existing services will (if required) report against these locally depending on the requirements of their consortium or health board. This creates an opportunity to address the governance gap with the current standards and ensure consistency of provision and practice across Scotland by putting a duty on NHS Healthcare Improvement Scotland to adopt and review these standards (incorporating short-term provision) and put in place arrangements to ensure adequate scrutiny and assurance arrangements.

Financial Implications

Q6. Taking account of both costs and potential savings, what financial impact would you expect the proposed Bill to have?

	Significant increase in cost	Some increase in cost	Broadly cost-neutral	Some reduction in cost	Significant reduction in cost	Unsure
Government and the public sector (including the NHS, local authorities)	X					
Businesses (including makers and suppliers of wheelchairs)						X
The third sector (including charities and voluntary bodies supporting those with mobility issues)				X		
Individuals (including people with mobility issues and their relatives)					X	

Please explain the reasons for your response.

We believe that the indicative costs used in the proposal are underestimated as they will not capture the cost of those who are unable to easily access third-sector providers. These short-term users are likely to require the wheelchair they need to be delivered and uplifted adding to the cost of provision. Also, from our experience and knowledge of cleaning and refurbishing wheelchairs for re-use, the costs are higher than stated and any NHS or social care provider would need to ensure that their cleaning and disinfecting procedures meet with healthcare associated infection standards. The research summarized in the consultation document demonstrates that even a relatively high increase in costs to the provider of the short-term wheelchairs will be small in comparison to the savings across the public sector and to the individual users. The proposal also aims to limit the provision to non-specialist wheelchairs. We do not think it would be sustainable or fair to disadvantage those with specialist and more complex needs by not providing them with a wheelchair. Businesses would likely see an increase in their costs but offset by an increase in turnover and therefore an increase in profit from the NHS (or whomever provides the service) purchasing more wheelchairs. The third sector will see a reduction in demand for short-term wheelchair loans and so a reduction in cost. Individuals (who are able to afford to purchase a wheelchair privately) will no longer need to purchase their own wheelchair (though some may still continue to do so) and so will see a relatively high reduction in cost.

Equalities

Q7. What overall impact is the proposed Bill likely to have on equality, taking account of the following protected characteristics (under the Equality Act 2010): age, disability, gender re-assignment, maternity and pregnancy, marriage and civil partnership, race, religion or belief, sex, sexual orientation?

Positive

Please explain the reasons for your response.

If funded and implemented correctly (including specialist wheelchairs), then it should positively impact on economic and disability related inequalities. If the service model does not include specialist wheelchairs and/or relies on family members or friends to pick up and return the wheelchair then it will have a negative impact.

Q8. In what ways could any negative impact of the Bill on equality be minimised or avoided?

Include specialist wheelchairs.
Ensure alignment with refreshed quality standards and eligibility criteria.
Ensure adequate governance arrangements with open and transparent scrutiny and quality assurance.
Ensure adequate funding with qualified staff to minimise the risk of harm to patients and carers (for example, wrongly adjusted foot supports can result in an increased risk of pressure sores, poorly adjusted lap straps are a strangulation hazard).
Remove the artificial barrier between short and long term provision to provide a seamless single-point of provision for wheelchairs and seating.

Sustainability

Q9. Do you consider that the proposed Bill can be delivered sustainably, i.e. without having likely future disproportionate economic, social and/or environmental impacts?

Unsure

Please explain the reasons for your response.

Depends of the model used to deliver the service and its remit as highlighted in other responses.

General

Q10. Do you have any other comments or suggestions on the proposal?

A pilot project should be undertaken to ensure that the funding level is correct and different models of service delivery can be trialled to find the most effective and efficient model.

There is a potential environmental benefit with an increase in utility and reuse of wheelchairs if provided by the NHS for short-term use, as individuals may scrape or store a wheelchair that is not used again, and the third-sector may not have the resources or expertise to refurbish wheelchairs cost-effectively.

The existing wheelchair and seating services should be adequately funded so that there is no need for a short-term wheelchair as second bullet point on page 5 of the consultation document. Providing a temporary wheelchair and then a permanent one would be double the cost.

The NHS already has a national contract (managed by NHS National Procurement) to ensure best value for the wheelchairs it purchases that could be used for wheelchairs for short-term use.