POLICY NOTE

THE NATIONAL CONFIDENTIAL FORUM (PRESCRIBED CARE AND HEALTH SERVICES) (SCOTLAND) ORDER 2014

S.S.I. 2014/

The above instrument was made in exercise the powers conferred by paragraph 7(3) of schedule 1A to the Mental Health (Care and Treatment) (Scotland) Act 2003. This instrument is subject to affirmative resolution procedure.

Policy Objectives

The National Confidential Forum (the Forum) established under the Mental Health (Care and Treatment) (Scotland) Act 2003 is designed to give survivors of abuse in institutional care in Scotland and other former residents the opportunity to describe their experiences in a confidential supportive environment to an independent panel. The aim of the Forum is to improve the health and well-being of those who take part, by acknowledging what happened to them and by signposting services that may be useful to them. The Forum also aims to draw on the past experiences of those who were in institutional care as children to improve residential services to children today, by learning lessons from those experiences.

The policy objective is to include as wide a range of institutions as possible in prescribing a "care or health service" (for the purposes of conditions of eligibility for accessing the Forum). The intention is to make sure that the Forum is open to anyone who was in institutional care as a child so that as many people as possible who have had that experience can take part if they wish.

This objective was discussed with the Health and Sport Committee when the Victims and Witnesses (Scotland) Bill was going through the Scottish Parliament. The Minister for Public Health made it clear to the Committee that a broad definition of a "care or health service" was the preferred option and the Committee accepted this approach (4533 5 November 2013, Health and Sport Committee). The instrument has therefore been drafted with the intention of meeting this objective.

Consultation

Over 450 stakeholders, including survivors, support organisations, Child Health Commissioners, service providers and purchasers, academic experts and regulatory bodies were invited to give their views on the type or description of a care or health service that should be included in the SSI. While the responses were limited in number with 12 respondents providing substantive replies their comments were helpful in ensuring that a broad sweep of care and health services was considered for inclusion in the final draft.

Financial Implications

There are no additional financial implications arising from this instrument. The Forum has been given a financial allocation based on the successful pilot *Time to be Heard.* The details of this budget are contained in the Financial Memorandum that accompanied the Victims and Witnesses (Scotland) Bill.

Equality Impact Assessment

A full equality impact assessment of the Forum provisions in the Victims and Witnesses (Scotland) Bill was undertaken and a summary was published as part of the papers accompanying the Bill. No additional issues arise as a result of this instrument.