



T: 0300 244 4000
E: CabSecNRHSC@gov.scot

Clare Haughey MSP
Health, Social Care and Sport Committee
The Scottish Parliament
Edinburgh
EH99 1SP

Email: HSCS.committee@Parliament.Scot

Your ref: Scottish Statutory Instrument 13 November 2023

05 December 2023

Dear Ms Haughey,

Thank you for raising Dr Gulhane's concerns from the Health, Social Care and Sports Committee on 07 November 2023 regarding the Negative Scottish Statutory Instrument (SSI) for the National Health Service (General Medical Services and Primary Medical Services) Section 17C Agreements) (Miscellaneous Amendments) (Scotland) Regulations 2023.

I share Dr Gulhane's views about the importance of continuity of primary care for people who are leaving prison. Pre-Registration of prisoners would allow GPs to communicate directly with the practice electronically prior to liberation, providing an assurance that the receiving surgery is aware of the information currently issued to the patient in a paper format on release.

Work is also undergoing to improve the IT functionality of prison healthcare records and prescribing. This is planned to take around a further 18-24 months and on completion will allow for electronic prescribing/administration of medications in prison. This will then allow GPs to see current prescriptions via the ECS system for patients who received a sentence of over 6 months duration who will automatically be registered to the prison healthcare team. For those with sentences under this length and remand patients there will not be a requirement to pre-register as they will not be deregistered from their original GP practice.

Dr Gulhane asked specifically what would happen if a practice had a closed list; would it still be "forced" to take on a patient who comes from the Scottish Prison Service.

This amendment does not affect the closed list process set out in Regulations and reflected in practices' contracts. A practice with a closed list would be obliged to refuse an application from a person about to leave prison as they would an application from any other patient. A

Scottish Ministers, special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See www.lobbying.scot



Health Board could assign a person leaving prison, or any other patient, to a practice with a closed list if more than half of the practices in its area had closed their lists.

Dr Gulhane also asked how we could be sure that a person will still be living in the area where they say they will be living.

We cannot be completely certain in every case that a person will go on to live where they think they will live before they leave prison. Prison Throughcare teams will be advised to wait until one month before a prisoner's assumed release date before identifying a practice in the area where the prisoner intends to live. The choice of practice will be based on the work that the Throughcare team has undertaken with the prisoner to prepare them for release. The practice will be notified and advised to formally register the patient on the day of release. If between notification and release, the Throughcare team becomes aware that the prisoner will not be going on to live in that area, they will make the practice aware that the prisoner does not have to be registered. Practices will be advised that if they become aware that a patient does not go on to live in their area, they should follow the normal processes for deregistering the patient.

Guidance on this process is being prepared for practices and will be shared in due course.

I hope this is helpful.

Yours sincerely



MICHAEL MATHESON