

Citizen Participation and Public Petitions Committee
Wednesday 1 May 2024
7th Meeting, 2024 (Session 6)

PE2078: Introduce mandatory licencing and inspection of private ambulance service providers

Introduction

Petitioner Ryan McNaughton

Petition summary Calling on the Scottish Parliament to urge the Scottish Government to create a new body responsible for the inspection, assessment and licensing of private ambulance service providers or encompass the clinical governance management of private companies in Scotland into Healthcare Improvement Scotland

Webpage <https://petitions.parliament.scot/petitions/PE2078>

1. This is a new petition that was lodged on 11 January 2024.
2. A full summary of this petition and its aims can be found at **Annexe A**.
3. A SPICe briefing has been prepared to inform the Committee's consideration of the petition and can be found at **Annexe B**.
4. Every petition collects signatures while it remains under consideration. At the time of writing, 30 signatures have been received on this petition.
5. The Committee seeks views from the Scottish Government on all new petitions before they are formally considered.
6. The Committee has received a submission from the Scottish Government which is set out in **Annexe C** of this paper.

Action

7. The Committee is invited to consider what action it wishes to take.

Clerks to the Committee
April 2024

Annexe A: Summary of petition

PE2078: Introduce mandatory licencing and inspection of private ambulance service providers

Petitioner

Ryan McNaughton

Date Lodged

11 January 2024

Petition summary

Calling on the Scottish Parliament to urge the Scottish Government to create a new body responsible for the inspection, assessment and licensing of private ambulance service providers or encompass the clinical governance management of private companies in Scotland into Healthcare Improvement Scotland.

Previous action

I have raised this issue with Katy Clark MSP, who wrote to (then Cabinet Secretary for Health and Social Care and now First Minister) Humza Yousaf MSP who responded by stating a belief that private event first aid and ambulance companies are regulated in Scotland, a response which is completely inaccurate, as there is no clinical governance of private ambulance services.

A letter is being drafted to Cabinet Secretary for Health and Social Care.

Background information

Each year in Scotland, hundreds of thousands of people attend various different events, from small local community gala days to large national music festivals and sporting events held throughout Scotland. Each of these events has a minimum level of immediate first aid and ambulance service provision which they are required to have to ensure the safety of patrons, staff, and competitors.

These private companies, however, are not required to register with any clinical governance organisation, adhere to any rules or be subjected to any form of assessment or inspection. I worked in this industry and have significant concerns about practice. Contrary to the requirements in England, which require private ambulance service providers to be registered with the Care Quality Commission which carries out a number of assessments and inspections to ensure the suitability of these registered companies.

Each year in Scotland, the attendees of these events are put at risk by companies with no clinical oversight or governance.

Annexe B: SPICe briefing on PE2078



Background

The regulation of independent healthcare in Scotland is overseen by [Healthcare Improvement Scotland](#) (HIS).

[The Public Services Reform \(Scotland\) Act 2010](#) includes independent ambulance services in the definition of independent health care service. The Act sets out that Scottish Ministers may prepare and publish standards and outcomes applicable to independent health care services and HIS may inspect any independent health care service.

However, HIS has confirmed¹ that at present while independent ambulance services sits in the statutes as a type of independent healthcare service, regulation of these has not been commenced. In the light of this, HIS is unable to undertake any regulatory activity in respect of this type of service.

[HIS currently regulates](#) independent healthcare (IHC) services, including:

- independent hospitals
- private psychiatric hospitals
- independent hospices, and
- independent clinics

Scottish Government action

In January 2005, the Scottish Executive published a [consultation paper on the Regulation of Independent Ambulance Services](#). Responses to the consultation paper were invited from various organisations and individuals on whether they felt that independent ambulance services should be added to the list of services regulated under the Care Act by the Care Commission.

In [response to a FOI request](#) correspondence from the Scottish Government, in 2018, stated:

“At present, as you are aware, Healthcare Improvement Scotland has no regulatory functions in respect of independent ambulance services. However, the Scottish Government is committed to ensuring that all independent

¹ Personal correspondence – 20 February 2024

healthcare providers are adequately regulated. It is our plan that independent ambulances will be included in this future programme of work and, when this work is being taken forward, views will be sought from stakeholders and providers. Unfortunately, we are unable to provide timescales for this work at the present time”

Scottish Parliament action

In 2012, the Scottish Executive was asked: “[when it plans to introduce legislation regarding the regulation of independent ambulance services?](#)”.

The answer given was:

“The power to regulate independent ambulance services is included in the Public Services Reform (Scotland) Act 2010. Decisions on commencement of the provision relating to independent ambulance services will be made following the completion of a wider piece of work on the future scope of independent healthcare regulation (which is expected to be completed by autumn 2012).”

Lizzy Burgess
Health and Social Care Team, SPICe Research
20/02/2024

The purpose of this briefing is to provide a brief overview of issues raised by the petition. SPICe research specialists are not able to discuss the content of petition briefings with petitioners or other members of the public. However, if you have any comments on any petition briefing you can email us at spice@parliament.scot

Every effort is made to ensure that the information contained in petition briefings is correct at the time of publication. Readers should be aware however that these briefings are not necessarily updated or otherwise amended to reflect subsequent changes.

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Annexe C: Written submission

Scottish Government submission of 20 February 2024

PE2078/A: Introduce mandatory licencing and inspection of private ambulance service providers

Thank you for your correspondence on 23rd January 2024 regarding Petition PE2078 on introducing mandatory licencing and inspection of private ambulance service providers. I am responding as Deputy Director for the Healthcare Quality and Improvement Division, which has policy responsibility for the regulation of independent healthcare in Scotland.

The Scottish Government can confirm that, while there is legislation to regulate independent ambulance services, this has not yet been commenced.

Healthcare Improvement Scotland (“HIS”) has, by virtue of the National Health Service (Scotland) Act 1978 (“the 1978 Act”), functions in relation to the regulation of independent hospitals, private psychiatric hospitals and independent clinics. HIS’ functions in relation to independent ambulance services have not yet been commenced. Therefore, these services are not currently regulated by HIS.

An independent ambulance service is defined in the 1978 Act as meaning a *service which consists of or includes (a) provision... of medical treatment, medical care or other care to relevant patients while such patients are being transported to or from a place of medical treatment and (b) provision, at or in connection with a public event, of medical treatment outwith relevant premises under arrangements made between the provider of the service and another (whether or not the service includes a means of transport for transporting patients from the event to relevant premises).*

The immediate next step is for Scottish Government officials to continue to engage with stakeholders to explore whether the definition of “independent ambulance services” should be amended before it is commenced, in order to ensure any regulation adequately reflects services today and in the future.

In summary, work is underway to look into the regulation of independent ambulances and private first aid, and officials are engaging with HIS and other stakeholders to scope the issues involved and to consider the most appropriate and proportionate next steps. The commencement of HIS’ functions in relation to regulation of independent ambulance service provision will be considered and prioritised as part of a suite of proposals regarding the regulation of independent healthcare.

Healthcare Quality and Improvement