

Citizen Participation and Public Petitions Committee
Wednesday 19 February 2025
3rd Meeting, 2025 (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. [The Committee last considered this petition at its meeting on 1 May 2024](#). At that meeting, the Committee agreed to write to the Cabinet Secretary for NHS Recovery, Health and Social Care.
2. The petition summary is included in **Annexe A** and the Official Report of the Committee's last consideration of this petition is at **Annexe B**.
3. The Committee has received a new written submission from the Cabinet Secretary for Health and Social Care which is set out in **Annexe C**.
4. [Written submissions received prior to the Committee's last consideration can be found on the petition's webpage](#).
5. [Further background information about this petition can be found in the SPICe briefing](#) for this petition.
6. [The Scottish Government gave its initial response to the petition on 20 February 2024](#).
7. Every petition collects signatures while it remains under consideration. At the time of writing, 31 signatures have been received on this petition.

Action

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

Clerks to the Committee
February 2025

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: Extract from Official Report of last consideration of PE2078 on 1 May 2024

The Convener: PE2078 is the last of our new petitions today. It was lodged by Ryan McNaughton and calls on the Scottish Parliament to urge the Scottish Government to create a new body to be responsible for the mandatory inspection, assessment and licensing of private ambulance service providers, or to encompass the clinical governance management of private companies in Scotland into Healthcare Improvement Scotland.

The SPICe briefing that we have received explains that the Public Services Reform (Scotland) Act 2010 includes independent ambulance services in the definition of an “independent healthcare service”. The act sets out that Scottish ministers must

“prepare and publish standards and outcomes applicable”

to independent health care services and that Healthcare Improvement Scotland may inspect

“any independent health care service.”

However, HIS has confirmed that regulation of those services has not yet been commenced and that it is unable to undertake any regulatory activity in respect of that type of service.

The Scottish Government’s response to the petition states that the next step is for officials to continue engagement with stakeholders to explore whether the definition of “independent ambulance services” should be amended before the provision is commenced, in order to ensure that any regulation adequately reflects services today and in the future. The response also states that the commencement of HIS’s functions in relation to the regulation of independent ambulance service provision will be considered and prioritised as part of a suite of proposals regarding the regulation of independent healthcare.

The act was passed in 2010, but it seems that we have not yet commenced its provisions, which is certainly some lead time by any standard.

Do members have any comments or suggestions for action??

David Torrance: The committee could write to the Cabinet Secretary for NHS Recovery, Health and Social Care to ask: how, in the absence of regulation, he can be assured that independent ambulances are operating safely; how long he expects it will take to explore—and, if necessary, update—the definition of an independent ambulance service; how the regulation of independent ambulance services will be prioritised to suit other proposals for the regulation of healthcare; and for details, including a timeline, of the commencement of Healthcare Improvement Scotland’s functions in relation to the regulation of independent ambulance service provision. Lastly, the committee should ask the cabinet secretary why, after making provision

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for the regulation of independent ambulance services in the Public Services Reform (Scotland) Act 2010, the Scottish Government decided not to commence the relevant provisions to ensure at least some regulation while additional exploratory work is undertaken.

The Convener: Are members content with that suggested action?

Members *indicated agreement.*

Annexe C: Written submission

Cabinet Secretary for Health and Social Care written submission, 13 June 2024

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

Thank you for your letter dated 17 May 2024, regarding petition PE2078 which calls for an introduction of mandatory licencing and inspection of private ambulance service providers.

Exploring what further regulation of independent ambulance services may be necessary is an important priority for the Scottish Government, as we recognise that, while organisations providing ambulance services must comply with responsibilities as stipulated by the Health and Safety Executive (HSE), the broader regulatory framework, as it currently stands, does not offer adequate assurance in this regard.

Provision for the regulation of independent healthcare, including independent ambulance services, was made in the Public Services Reform (Scotland) Act 2010 but not all of Healthcare Improvement Scotland's ("HIS") functions in relation to services have been commenced.

HIS' functions in relation to the regulation of independent hospitals was commenced in April 2011, followed by commencement in relation to regulation of independent clinics from April 2016. HIS' functions in relation to independent medical agencies will commence later this month.

This phased approach to the extension for HIS's regulatory powers is important to ensure that HIS has the capacity and appropriate staff with the necessary skillset in place to regulate the independent sector effectively.

We recognise that the definition of independent ambulance service within the National Health Service (Scotland) Act 1978 may need revised to ensure it meets current needs.

The commencement of HIS' functions in relation to the regulation of independent ambulance services is therefore being considered as part of the next phase in the regulation of independent healthcare.

Scottish Government officials are already engaging with HIS on the regulation of independent ambulances. One of the next steps will be to undertake stakeholder engagement to gather further insight into the details required to regulate the sector effectively. Once the scope of further regulation has been developed, a public consultation will be required.

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Unfortunately, it is not possible at this point to confirm a timeline of when provisions would be in place. However, I will be pleased to keep the Committee updated as these plans progress.

I hope you find my response helpful and informative.

Yours sincerely,

NEIL GRAY MSP