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Item No: 8

Meeting Date: Wednesday 24th January 2024

Glasgow City Integration Joint Board

Report By: Susanne Millar, Chief Officer

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Update on the Implementation of a Safer Drug Consumption Facility

Purpose of Report:

The purpose of the report is to update the IJB on the progress of the implementation of a Safer Drug Consumption Facility (SDCF) in Glasgow City, as approved at the IJB in September 2023. The paper outlines governance arrangements and provides updates from a range of workstreams reporting to the SDCF Implementation Board. The paper seeks approval to approach the Lord Advocate for the formal Statement of Prosecution Policy, to support full implementation of the SDCF.

Background/Engagement:

In [September 2023](#) a report was presented to the IJB seeking approval to progress with implementation of the Safer Drug Consumption Facility (SDCF) pilot in Glasgow City. That report provided a summary of the background to proposals for the new service since 2016, including the delays in being able to progress development of the service due to the absence of support from the Crown Office in relation to prosecution policy in the absence of changes required to the Misuse of Drugs Act 1971, responsibility for which rests with the Westminster UK Parliament.

Glasgow City HSCP submitted a revised proposal to the Lord Advocate in 2022 requesting further consideration to a public statement of prosecution policy that would support the implementation of a Safer Drug Consumption Facility (SDCF).

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| | <p>The Lord Advocate communicated with Glasgow City HSCP on 11th September 2023, confirming that she would be prepared to publish a statement of prosecution policy to the effect that it would not be in the public interest to prosecute users of that facility in terms of section 5(2) of the Misuse of Drugs Act 1971 for simple possession offences committed within the confines of the Safer Drug Consumption Facility. The IJB approved progress to implementation on 27th September 2023.</p> <p>The Lord Advocate requested reassurance in relation to evaluation of the pilot phase of the SDCF, and that community engagement is undertaken prior to implementation. The Engagement Strategy was presented to, and approved by, the IJB in November 2023 and engagement activity has continued since the IJB. An update on evaluation is provided within the report and the process for securing funding is underway.</p> <p>The Lord Advocate intimated that the terms of a formal Statement of Prosecution Policy could be issued when the service becomes operational. The HSCP are therefore required to approach the Lord Advocate to state an intention to open the facility.</p> |
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| Governance Route: | <p>The matters contained within this paper have been previously considered by the following group(s) as part of its development.</p> <p>HSCP Senior Management Team <input type="checkbox"/></p> <p>Council Corporate Management Team <input checked="" type="checkbox"/></p> <p>Health Board Corporate Management Team <input checked="" type="checkbox"/></p> <p>Council Committee <input type="checkbox"/></p> <p>Update requested by IJB <input checked="" type="checkbox"/></p> <p>Other <input type="checkbox"/></p> <p>Not Applicable <input type="checkbox"/></p> |
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| Recommendations: | <p>The Integration Joint Board is asked to:</p> <p>a) Note the contents of this report; and</p> <p>b) Approve the approach to the Lord Advocate to seek the Statement of Prosecution Policy, subject to favourable King’s Counsel opinion.</p> |
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Relevance to Integration Joint Board Strategic Plan:

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| <p>The implementation of the Safer Drug Consumption Facility will support the IJB/HSCP to meet the Partnership Priorities laid out within the Strategic Plan 2023-26. In particular the SDCF will support the priorities of Prevention, early intervention and well-being, Supporting greater self-determination and informed choice, Supporting people in their communities and Strengthening communities to reduce harm.</p> |
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Implications for Health and Social Care Partnership:

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| Reference to National Health & Wellbeing Outcome(s): | <p>The SDCF will contribute to meeting the following health and wellbeing outcomes for health and social care services:</p> <p>People who use health and social care services have positive experiences of those services, and have their dignity respected; Health and social care services are centred on helping to maintain or improve the quality of life of people who use those services; Health and social care services contribute to reducing health inequalities; People who use health and social care service are safe from harm.</p> |
| Personnel: | <p>Alcohol and Drug Recovery Services will recruit, train and manage the workforce required to deliver a Safer Drug Consumption Facility. Staffside and GCC Unison are involved in the workforce planning for new posts.</p> |
| Carers: | <p>Family member and carer representatives have been consulted as part of the engagement strategy.</p> |
| Provider Organisations: | <p>Provider organisations operating with the proximity of the SDCF have been invited to participate in the engagement efforts. This includes local providers of services which are not contracted to deliver health and social care services by Glasgow City HSCP. Implications for provider organisations are considered through the SDCF Implementation Board.</p> |
| Equalities: | <p>An EQIA has been completed and published and has informed engagement activity to date. This will be reviewed in January 2024.</p> |
| Fairer Scotland Compliance: | <p>In seeking to offer a safer environment for drug consumption, co-located with a range of associated services and advice, the facility will contribute to supporting people to make choices that will help offset the impacts of socio-economic disadvantage often associated with this service user group.</p> |
| Financial: | <p>The financial framework for the operational costs for the facility have been agreed with Scottish Government, and operational costs will be delivered within this financial envelope. As per previous paper in September 2023, the implementation of an SDCF is likely to result in reduced costs to other parts of the health, social care and criminal justice system. The IJB previously agreed to earmark funds for the redesign works required to the Hunter Street Health and Care Centre to accommodate these services. Costs will be met from within this allocation.</p> |

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| Legal: | <p>Legal advice and Counsel opinion has been sought to ensure that NHS Greater Glasgow and Clyde and Glasgow City Council staff can deliver the facility within existing legislation. The SDCF will be delivered alongside other Alcohol and Drug treatment services aimed at reducing harms and providing pathways into treatment, care and recovery. Operational policies should be strictly adhered to and will be monitored closely. Final King's Counsel opinion has been sought.</p> <p>The Lord Advocate had indicated that she will provide a public statement of prosecution policy, so that service users will not be prosecuted for possession of drugs whilst using the SDCF.</p> |
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| Economic Impact: | <p>It is hoped that there may be economic benefits to the city as a result of the reduction of the visibility of drug misuse in public places and the reduction of drug-related litter being visible on the streets. Any economic impacts experienced will be considered as part of the evaluation exercise.</p> |
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| Sustainability: | <p>None.</p> |
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| Sustainable Procurement and Article 19: | <p>None.</p> |
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| Risk Implications: | <p>The implementation within Glasgow of the first facility of its kind in Scotland, carries with it a degree of reputational risk for Glasgow City Council, NHS Greater Glasgow and Clyde and Glasgow City IJB. Such risks are identified, monitored and mitigated through the SDCF Implementation Board, and will continue to be monitored via appropriate governance routes following implementation of the facility.</p> |
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| Implications for Glasgow City Council: | <p>There are a number of implications for both Glasgow City Council and NHS Greater Glasgow and Clyde, including political and reputational impacts, positive impacts on the local community and media attention.</p> <p>There may also be increased demand for additional services as a result of successful sustained engagement with health and social care supports for a cohort of individuals who historically may be engaged on a sporadic and/or unscheduled basis. Resource implications of an increased uptake in consistent and preventative health and social care supports may be offset by a reduction in demand for unscheduled care services such as acute health services and crisis / emergency social care services.</p> |
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| Implications for NHS Greater Glasgow & Clyde: | <p>There are a number of implications for both Glasgow City Council and NHS Greater Glasgow and Clyde, including</p> |
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| | <p>political and reputational impacts, positive impacts on the local community and media attention.</p> <p>There may also be increased demand for additional services as a result of successful sustained engagement with health and social care supports for a cohort of individuals who historically may be engaged on a sporadic and/or unscheduled basis. Resource implications of an increased uptake in consistent and preventative health and social care supports may be offset by a reduction in demand for unscheduled care services such as acute health services and crisis / emergency social care services.</p> |
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Direction Required to Council, Health Board or Both

Direction to:

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| 1. No Direction Required | <input checked="" type="checkbox"/> |
| 2. Glasgow City Council | <input type="checkbox"/> |
| 3. NHS Greater Glasgow & Clyde | <input type="checkbox"/> |
| 4. Glasgow City Council and NHS Greater Glasgow & Clyde | <input type="checkbox"/> |

1. Purpose

- 1.1 The purpose of the report is to update the IJB on the proposed implementation of a Safer Drug Consumption Facility in Glasgow City. The paper outlines progress towards implementation following approval by Glasgow City IJB on 27th September 2023, particularly in respect to the governance, engagement and evaluation. The Lord Advocate noted interest in the evaluation and community engagement within the communication of 11th September 2023, advising that she is prepared to issue a statement of prosecution policy when the service becomes operational. The report further seeks approval to approach the Lord Advocate with an update on the progress to date and request the formal statement of prosecution policy is set out prior to implementation of the service.

2. Background

- 2.1. In [September 2023](#), a report was presented to the IJB seeking approval to progress with implementation of the Safer Drug Consumption Facility (SDCF) pilot in Glasgow City. That report provides a full summary of the background to proposals for the new service since 2016, including the delays in being able to progress development of the service at that time.
- 2.2. In 2022, the Scottish Government Drugs Minister approached Glasgow City HSCP to request the development of a new proposal for an SDCF that could be delivered within existing legislation, for consideration by the Lord Advocate. A revised proposal was developed and included input from key partners including Police Scotland and Scottish Government. The proposal was submitted to the Lord Advocate by Scottish Government, in support of the Glasgow City HSCP proposal, requesting further consideration to a public statement of prosecution policy to support implementation of an SDCF. The

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Lord Advocate communicated with Glasgow City HSCP on 11th September 2023, confirming that she would be prepared to publish a statement of prosecution policy to the effect that it would not be in the public interest to prosecute users of that facility for simple possession offences committed within the confines of the facility.

- 2.3. The Lord Advocate, Dorothy Bain KC, indicated an expectation that as a pilot, the facility would be subject to robust evaluation, and also wished to be re-assured that public engagement would take place. She further noted that the exact terms of the statement of prosecution policy would be confirmed when such a facility becomes operational.
- 2.4. Glasgow City HSCP agreed that a further communication would be sent to the Lord Advocate once satisfied that governance arrangements are in place, alongside a full engagement plan, evaluation plans and a final legal position for Glasgow City Council and NHS Greater Glasgow and Clyde.
- 2.5. Queen's Counsel opinion previously provided re-assurance to Glasgow City Council and NHS Greater Glasgow and Clyde that a Safer Drug Consumption Facility could operate safely as a treatment service, with mitigation factors including strict adherence to the policies and procedures as set out in correspondence. The policies and procedures have been updated to take account of some queries from Queen's Counsel, minor additions, and the removal of the inhalation room. These have been sent for final King's Counsel opinion.

3. Governance

- 3.1. A Safer Drug Consumption Facility Implementation Board was established in November 2023, chaired by the Assistant Chief Officer (Adults) and Chief Social Work Officer, and meets four-weekly.
- 3.2. The Implementation Board provides a formal governance structure for the Safer Drug Consumption Facility (SDCF) in Glasgow, with an overview of the planning and implementation of the project. The Board ensures that all aspects of the service are developed within the current legal framework and oversees and coordinates progress of five sub-groups – Property, Workforce, Communication and Engagement, Evaluation, and Operational/Governance.
- 3.3. The Implementation Board's membership covers a range of local and national stakeholders, including Glasgow Alcohol and Drug Partnership (ADP) and HSCP, Scottish Government, Crown Office (for information purposes only), Lived experience representation, local Registered Social Landlords, 3rd Sector, NHSGGC Public Health, and Trade Unions.
- 3.4. The Property sub-group, chaired by the Chief Officer, Finance and Resources, was established in October 2023 and meets fortnightly to provide a formal governance structure for the delivery of the project for the implementation of the SDCF at Hunter Street Health and Care Centre. The Property workstream will ensure that all aspects of the project are delivered within the current financial framework and building guidelines, working with key partners

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including people with lived and living experience. Work to finalise the detailed plans and programme of works for the build continues at pace.

A report will be presented to the IJB in March 2024, providing a full update on the property plans for the SDCF.

- 3.5. The Workforce sub-group, chaired by the Alcohol and Drug Service (ADRS) Head of Service, was established in November 2023 and meets four weekly. As outlined in the IJB Report in September 2023, the Scottish Government wrote to Glasgow City HSCP Chief Officer on 20th September 2023 to confirm that up to £2,347,000 will be made available to fund the operational costs of the SDCF from April 2024. The workforce group will work to this financial envelope.

Working alongside Staffside, Unison and GCC and NHSGGC Human Resources, job descriptions are being finalised for all posts. A recruitment campaign and events are being planned to attract a wide pool of applicants and ensure that candidates have a good understanding of the responsibilities associated with each specific role. Learning from the enhanced drug treatment service will inform discussions with potential applicants.

The group will thereafter focus on induction and training requirements, with a particular remit around specialist legislative and recording needs, to ensure that all operating procedures and policies are adhered to.

The group will also consider the wider partnership elements of the service, within the aftercare area, where it is anticipated that support in respect to social, emotional and health needs can be offered, as well as pathways into treatment and care when appropriate.

- 3.6. The Communication and Engagement sub group, chaired by the ADRS Associate Medical Director, has been meeting since final proposals for the facility were developed in August 2023.

The Engagement Strategy was presented to, and approved by, the IJB on [29th November 2023](#).

Phase 1 engagement has focused on stakeholders and community groups geographically closest to the facility, including Elected Members, Community Councils, Area Partnerships, Registered Social Landlords, and the Locality Engagement Forum. Businesses within the immediate vicinity have been contacted.

Drop-in sessions are taking place throughout January to offer one to one/small group discussions with community members and provide information on the service, location and anticipated impact. These have been advertised in a range of venues across the community, and via partners to ensure as wide a reach as possible.

Community feedback to date has ranged from people raising concerns about the negative impact on the community and misinformation about the service to residents welcoming the service in the hope that it addresses the drug related

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litter and public injecting in their area. All feedback is being collated and issues are being addressed in person and through use of the Frequently Asked Questions document. Engagement will continue to be reported to the Public Engagement Committee on a regular basis and will include a summary of all comments and feedback received.

A number of meetings with various lived and living experience and family groups have taken place, and feedback has been overwhelmingly positive with these groups, indicating a strong belief that the service will be beneficial in offering a safer environment for people who inject drugs publicly and an opportunity to engage with services.

Meetings have also taken place with other established services located in Copenhagen, Bergen, Sydney and Melbourne, which have provided invaluable learning.

An SDCF webpage is live on the Glasgow HSCP site [Safer Drug Consumption Facility | Glasgow City Health and Social Care Partnership \(hscp.scot\)](https://www.hscp.scot/our-services/safer-drug-consumption-facility), and will be updated regularly. The webpages provide information to potential users of the service, family members and community members, and offers an opportunity to provide feedback. A video has been created to reflect service user and family members views, with a descriptor of the service, and will be added to the website in the coming weeks.

Phase 2 of the engagement plan will seek to offer engagement opportunities to wider stakeholders and interested parties.

The SDCF Implementation Board are satisfied that the strategy should reassure the Lord Advocate that community engagement has taken place and will continue up to, and following, implementation of the SDCF.

- 3.7. The Evaluation planning group is chaired by NHSGGC Director of Public Health and involves colleagues from NHSGGC Public Health, Scottish Government, Public Health Scotland and Academia. An evaluation plan is under development.

NHSGGC, together with independent academic partner institutions, have submitted a research grant bid for the evaluation, and feedback is expected in April 2024, prior to the implementation of the service.

Pre-implementation preparation and baseline data collection for the evaluation is in initial stages, funded by Public Health Scotland, and progress will continue to be reported into the Implementation Board.

The Implementation Board are satisfied that plans are progressing sufficiently to provide reassurance to the Lord Advocate that a robust evaluation will be undertaken alongside the implementation of the Safer Drug Consumption Facility.

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- 3.8. The Operational/Governance sub-group is co-chaired by the ADRS Head of Service and Associate Medical Director and meets weekly. The group has reviewed all operational documentation including the Service Specification & Standard Operating Procedures (SOPs), in line with previous Queen's Counsel opinion, for submission to the Lord Advocate.

The updated documents have been submitted to NHS Central Legal Office and GCC Legal Department, and forwarded to King's Counsel for opinion. Should the opinion be favourable in terms of operating a Safer Drug Consumption Facility safely, mitigating risks to the organisation and staff with strict adherence to operational policies and procedures, next steps would involve submitting final documentation to the Lord Advocate. This would include a request for the provision of a statement of prosecution policy to meet the timescales associated with the opening of the service.

An Equality Impact Assessment for the SDCF was completed and published on the HSCP website in November 2023 ([EQIA - Safer Drug Consumption Facility | Glasgow City Health and Social Care Partnership \(hscp.scot\)](#)). The EQIA will be updated in January 2024 to reflect the level of engagement activity undertaken to date.

Work is ongoing to develop the SDCF recording system to ensure it will meet the needs of both the operational team and the research and evaluation team. This system will provide data for the operational monitoring of the service. There are regular meetings and discussions with professional leads, the service manager, and other SDCF work streams including workforce and research and evaluation, during the scoping and development phase of this module.

4. Recommendations

- 4.1. The Integration Joint Board is asked to:
- a) Note the contents of this report; and
 - b) Approve the approach to the Lord Advocate to seek the Statement of Prosecution Policy, subject to favourable King's Counsel opinion.