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AAC Executive Leads
AAC Advisory Group

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Dear Partners

I would like to take this opportunity to update you on the work being taken forward around the commencement of Part 4 of the Health (Tobacco, Nicotine etc. and Care) (Scotland) Act 2016 – the Provision of Communication Equipment – which will take place on Monday 19 March 2018.

The commencement is the culmination of the collective efforts, drive and dedication of many people and organisations over several years and I would like to take the opportunity to thank everyone involved. For the first time in legislation in Scotland there is a duty that ensures that children and adults can access the equipment and support they need to be able to participate fully in society.

Commencement

Part 4 comprises section 33 of the Act, which inserts a new section 46A into the National Health Service (Scotland) Act 1978 which will confer a legislative duty on the Scottish Ministers to provide or secure the provision of communication equipment and support in using that equipment to such an extent as they consider necessary, to meet all reasonable requirements, to any person who has lost their voice or has difficulty speaking. [Commencement Regs].

On 19 March 2018, the duty will become exercisable by Health Boards and one Special Health Board, the State Hospitals Board for Scotland. Where in the Health Board context delegated arrangements are in place under the Public Bodies (Joint Working) (Scotland) Act 2014, these delegated arrangements will apply to the new duty. If they are not under the auspices of delegated arrangements then the duty will rest with the Health Board. [Functions Order].

The Scottish Government's Assisted Communication team have been working with partners, including NHS Boards and nominated Executive Leads for Augmentative and Alternative Communication in each NHS Board area across Scotland, to ensure readiness for commencement, and will continue to work with partners to support the delivery of the

legislative duty and the wider work programme on augmentative and alternative communication following commencement.

Readiness Preparations

To ensure readiness for commencement, the Scottish Government Assisted Communications Policy Team has:

- Worked closely with NHS Boards and Special Boards, and AAC Executive Leads to establish where the duty lies in their local area.
- Worked with other partners to advise of forthcoming commencement.
- Liaised with, and been supporting AAC Executive Leads in all NHS Board areas to ensure local areas are ready for commencement, and where services are being provided that services are working to continuously improve the care, support and advice they provide to people who use and need communication equipment and support in using that equipment.
- Cascaded information on commencement to NHS Chief Executive Officers, IJB Chief Officers, AAC Executive Leads, the Speech and Language Therapy Managers Network, the AAC in Practice in Scotland group and the National Advisory Group to ensure all stakeholders have information on the commencement of the legislative duty.
- Worked with local areas to consider the information available to people in their area on the services available locally to people who use and need augmentative and alternative communication.

Next Steps

We will develop guidance on the definitions of communication equipment and support in using that equipment by May 2018. We envisage this guidance will include a vision statement, principles, and definitions of equipment and support in using that equipment. The guidance will seek to assist the successful implementation of the duties and the continuous improvement of the delivery of care, support and services for people who use and need AAC. To do this we will be using the expertise and outputs from the 'task and finish' groups to support improving provision and supporting practice. An editorial group will be convened to work on this.

Through the national advisory group on AAC, work is also currently being taken forward on pathways for people who use and need AAC, led by an AAC Executive Lead with specialist practitioners and this work will be complementary to guidance document.

The National AAC Advisory Group has been meeting since it was reconvened meeting on 14 December 2016 and will meet next in the coming months to discuss existing work streams including pathways and data, and identify new priorities for the next phase of the work.

Cascade of Information

Explanatory detail on the commencement of the legislative duty has been shared with stakeholders to ensure expectations of commencement are grounded in the context of legislative provision. We are also liaising with our communications colleagues and will share further information as this becomes available. I hope this information is helpful in the context of developing your own local messages, communications and social media postings to help raise awareness of the duty and commencement.

This stage of the legislative duty on communication equipment and support is a key element of the Scottish Government's and the AAC Advisory Group's broader programme of work on Augmentative and Alternative Communication and again I express my thanks to you all for your advice, expertise and sustained commitment in the lead up to commencement.

If you have any questions or wish to discuss any of the information in this letter, please contact :

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Yours sincerely

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