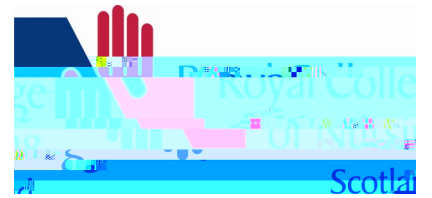
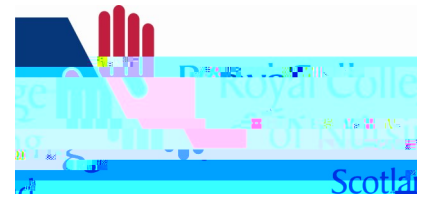


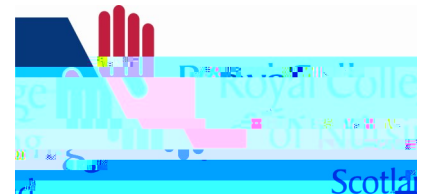
The Royal College of Nursing (RCN) is the world's largest nursing union and professional body. It is the leading national and international authority in representing the nursing profession. We represent over half a million nurses, student nurses, midwives, nursing associates and nursing support workers in the UK and internationally.



asked to provide the coordinated care of those who can benefit from palliative and end of



shared by multiple organisations in a complex landscape. Implementation of a right to palliative care would have to take cognisance of this and makes implementation,



If demand was to be increased, by the introduction of a legal right and more people therefore accessing palliative care, this would require additional investment both in terms of facilities but more urgently in terms of additional workforce. Existing teams and existing services simply cannot meet the requirements which will be established by this Bill. Extensive and detailed work will be required to establish the financial implications of the Bill, not least because insufficient data exists on unmet need.

RCN Scotland would also like to take this opportunity to raise a related issue which is of concern to our members. The management and use of controlled drugs, which include a range of palliative care medication, is currently reserved under the Scotland Act 1998 and is governed by the Misuse of Drugs Act 1971 and related regulations. The effect of this regime is that care homes in Scotland are required to apply for licences, for each type of controlled drug, from the Home Office to possess stocks, unless the care home is wholly or mainly maintained by a public authority out of public funds. In Scotland, as there is no legal difference between a care home with nursing and one without, this applies to all care homes in Scotland (unlike in the rest of the UK, where care homes with nursing have to meet fewer requirements to store controlled drugs). The consequence of the current situation is a delay in alleviation of symptoms and access to end of life care for care home residents, where around 20% of all deaths take place across the UK. This poses a risk of unnecessary suffering by the resident and distress to families and staff.

RCN members have today (4th June) passed a motion calling for RCN to lobby for a change in the law to allow for care homes to be able to store supplies of anticipatory palliative care drugs, at the 2024 RCN Congress. Noting that this is a reserved matter and therefore not an issue which this proposed Bill can alter, a change in the law would result in significant improvements in terms of access to palliative care for those in care homes in Scotland, which is obviously a central aim of this Bill and is therefore relevant to consideration by this consultation. During this debate, a number of RCN members spoke about the need to ensure sufficient safeguards and training of staff were put in place alongside any change in the law. RCN members also repeatedly called for improved access and availability of palliative care for residents of care homes and community settings.

¹NHSScotland Workforce 31 December 2023, TURAS Data Intelligence, <https://turasdata.nhs.scot/data-and-reports/official-workforce-statistics/all-official-statistics-publications/05-march-2024-workforce/> (Accessed 04 June 2024)

²Health and Care Bill: Volume 819: debated on Tuesday 1 March 2022, House of Lords, <https://hansard.parliament.uk/lords/2022-03-01/debates/57BC7A73-56C3-4102-8743->