

PROPOSALS FOR PRESCRIBED INFORMATION TO BE INCLUDED IN THE INTEGRATION SCHEME RELATING TO THE PUBLIC BODIES (JOINT WORKING) (SCOTLAND) ACT 2014

CONSULTATION QUESTIONS

1. Do you agree with the prescribed matters to be included in the Integration Scheme?

Yes

No

2. If no, please explain why:

We feel that services for children and young people should receive specific attention with the prescribed matters. As it stands there is potential for different local authorities to apply different approaches to the integration of children's services without more specific direction. This difference in application may then lead to difficulties when a child enters transition into adult services, particularly if this happens between local authorities. Children's services exist in their own policy context- and are governed by aspects of legislation which do not extend to adult services. As such we feel that Scottish Government will need to consider and clarify how the application of this Act will relate to other policy areas such as legislative requirements in Part 3 (Children's services planning) of the Children and Young People (Scotland) Act.

3. Are there any additional matters that should be included within the regulations?

Yes

No

4. If yes, please suggest:

We support the suggestion of Barnardo's Scotland that in order to address the specific requirements of children's services in integration, that the head of children's services of the local authority be included on the integration board. This may also necessitate the creation of a children's services integration sub-committee, which we would be keen to see representation from third sector service providers on. These measures are important, even when children's services are not to be integrated, given the considerations that must be taken into account around the transition into adult services.

5. Are there any further comments you would like to offer on these draft Regulations?

N/A

PROPOSALS FOR PRESCRIBED FUNCTIONS THAT MUST BE DELEGATED BY LOCAL AUTHORITIES RELATING TO THE PUBLIC BODIES (JOINT WORKING) (SCOTLAND) ACT 2014

CONSULTATION QUESTIONS

1. Do you agree with the list of Local Authority functions included here which must be delegated?

Yes

No

2. If no, please explain why:

As the functions in this list pertain to adult services we have no opinion as to their suitability.

3. Are there any further comments you would like to offer on these draft regulations?

N/A

ANNEX 3(D)

PROPOSALS FOR REGULATIONS PRESCRIBING FUNCTIONS THAT MAY OR THAT MUST BE DELEGATED BY A HEALTH BOARD UNDER THE PUBLIC BODIES (JOINT WORKING) (SCOTLAND) ACT 2014

CONSULTATION QUESTIONS

1. Do you agree with the list of functions (Schedule 1) that may be delegated?

Yes

No

If no, please explain why:

N/A

2. Do you agree with the list of services (Schedule 2) that must be delegated as set out in regulations?

Yes

No

If no (i.e. you do not think they include or exclude the right services for Integration Authorities), please explain why:

We feel more work is required in this schedule to better define the role of the health visitor in terms of integration and would even question its inclusion. Few professions span the care of adults and young children so comprehensively and as such represents a very different function from others in this section. Local discretion in this area could prove problematic, as such clearer direction to health boards and authorities in this regard is needed.

This is an example of where a greater clarity of the interrelationships between the Joint Working Act and the Children and Young People Act is required, given the enhanced role as 'named-person' prescribed to the role of health visitor by the CYP Act. This will create an implicit integration which should be clearly referenced in the regulations.

3. Are you clear what is meant by the services listed in Schedule 2 (as described in Annex A)?

Yes	<input type="checkbox"/>
No	<input checked="" type="checkbox"/>

If not, we would welcome your feedback below to ensure we can provide the best description possible of these services, where they may not be applied consistently in practice.

Clearer direction and definition around the role of health visitors in terms of integration is required unless the role is to be removed from the list entirely.
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4. Are there any further comments you would like to offer on these draft regulations?

N/A

ANNEX 4(D)
**PROPOSALS FOR NATIONAL HEALTH AND WELLBEING
OUTCOMES RELATING TO THE PUBLIC BODIES (JOINT
WORKING) (SCOTLAND) ACT 2014**



CONSULTATION QUESTIONS

1. Do you agree with the prescribed National Health and Wellbeing Outcomes?

Yes

No

If no, please explain why:

Our concern in this area relates to a desire to see better linkage between the regulation around this Act and other policy areas. The outcomes prescribed are intended to apply to all health and social care service users, whilst undoubtedly most of the outcomes are fully applicable to children and young people, some, (especially outcomes 1 and 2) may not be.

We warmly welcome intent to greater empower children and young people to take control of their health and wellbeing, where capacity and maturity allows, but outcome 1 would not be an achievable outcome for a child in the early years in receipt of health or social care services.

Again, whilst outcome 2 is entirely appropriate in terms of its desire to see service users to remain at home or in 'a homely' setting, the focus on 'living independently' is difficult to realise for children who have not yet reached maturity.

We are also concerned about the lack of a clear line of sight between the National Health and Wellbeing outcomes defined in this Act and those of other policy areas. The relationship of these outcomes to the definition of wellbeing, as defined by the Children and Young People Act is particularly unclear. Wellbeing as defined by the CYP Act, puts wellbeing on a statutory footing around the SHANARRI wellbeing indicators- this applies to wellbeing of a child when it is receiving services from a health board or local authority, regardless of the integration of services.

The Public Bodies Act stipulates that when an authority and the health board decide to integrate some children's services, the integration authority is required to define in the strategic plan for integration how this will achieve national health and wellbeing outcomes for a service user. At the same time, they will face another set of requirements under the terms of the Children and Young People Act in terms of delivery of SHANARRI wellbeing indicators in part 3 of that Act around children's services planning.

SHANARRI wellbeing indicators differ from national health and wellbeing outcomes- which don't seek to deliver progress towards a service user being ACHIEVING or RESPONSIBLE and as such fall short of meeting service planning obligations to the CYP Act. As such these regulations must include reference to SHANARRI indicators and part 3 of the Children and Young People Act in the context of integrating children's services.

2. Do you agree that they cover the right areas?

Yes

No

3. If not, which additional areas do you think should be covered by the Outcomes?

As described above, we feel there needs to be specific reference to SHANARRI Wellbeing indicators and part 3 of the Children and Young People Act in regulations around the integration of children's services.

Additionally, we think there should be outcomes around primary prevention and early intervention defined in the regulations.

4. Do you think that the National Health and Wellbeing Outcomes will be understood by users of services, as well as those planning and delivering them?

Yes

No

5. If not, why not?

Children and Young people in receipt of integrated services as it stands will be faced with 2 sets of similar outcomes: the national health and social care outcomes and those defined under SHANARRI in part 3 of the children and young people Act. This could create significant confusion.

6. Are there any further comments you would like to offer on these draft Regulations?

**PROPOSALS FOR INTERPRETATION OF WHAT IS MEANT BY THE
TERMS HEALTH AND SOCIAL CARE PROFESSIONALS RELATING
TO THE PUBLIC BODIES (JOINT WORKING) (SCOTLAND) ACT 2014**

CONSULTATION QUESTIONS

1. Do you agree that the groups listed in section 2 of the draft regulations prescribe what 'health professional' means for the purposes of the Act?

Yes

No

2. If you answered 'no', please explain why:

We have no opinion on this section.

3. Do you agree that identifying Social Workers and Social Service Workers through registration with the Scottish Social Services Commission is the most appropriate way of defining Social Care Professionals, for the purposes of the Act?

Yes

No

4. If you answered 'no', what other methods of identifying professional would you see as appropriate?

5. Are there any further comments you would like to offer on these draft Regulations?

**PRESCRIBED FUNCTIONS CONFERRED ON A LOCAL AUTHORITY OFFICER
RELATING TO THE PUBLIC BODIES (JOINT WORKING) (SCOTLAND) ACT
2014**

CONSULTATION QUESTIONS

1. Do you believe that the draft Regulations will effectively achieve the policy intention of the Act?

Yes

No

2. If not, which part of the draft Regulations do you believe may not effectively achieve the policy intention of the Act, and why?

The draft regulations will achieve much of the policy intentions of the act, but not as they relate to children and young people and the services they receive, in the ways defined above.

3. Are there any further comments you would like to offer on these draft Regulations?