

**PRESCRIBED GROUPS WHICH MUST BE CONSULTED WHEN PREPARING OR REVISING INTEGRATION SCHEMES; PREPARING DRAFT STRATEGIC PLANS; AND WHEN MAKING DECISIONS AFFECTING LOCALITIES RELATING TO THE PUBLIC BODIES (JOINT WORKING) (SCOTLAND) ACT 2014**

**CONSULTATION QUESTIONS**

1. Do these draft Regulations include the right groups of people?

Yes

No

2. If no, what other groups should be included within the draft Regulations?

Given that the strategic plan will contain much of the integration detail, we are not clear why the group of persons specified in regulation 4 is confined to standard consultees only.

The implication is that we are concerned that there will not be sufficient engagement with staffing groups which make up our joint workforce in the development of the strategic plan.

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

The draft regulations specify a very wide group of people and accordingly it will be significant challenge to make any consultation meaningful rather than tokenistic. The regulations as currently drafted do not assist in promoting meaningful consultation. Other ways of promoting consultation such as the role of elected members are absent from the draft regulations.

While it is acknowledged that statutory guidance will be circulated at a later date, it would nevertheless be helpful at this stage to clarify what is meant by *consultation* in the context of the act and the draft regulations.

## ANNEX 2(D)

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### MEMBERSHIP, POWERS AND PROCEEDINGS OF INTEGRATION JOINT BOARDS ESTABLISHED UNDER THE PUBLIC BODIES (JOINT WORKING) (SCOTLAND) ACT 2014

#### CONSULTATION QUESTIONS

1. Are there any additional non-voting members who should be included in the Integration Joint Board?

Yes

No

2. If you answered 'yes', please list those you feel should be included:

3. Are there any other areas related to the operation of the Integration Joint Board that should also covered by this draft Order?

While we consider that it is appropriate that there should not be any additional non-voting members, clarity is nevertheless sought in relation to determining who the carer and service user representatives should be. Specifically, it is unclear how one individual can be identified to represent the views of such a large and diverse range of people.

4. Are there any further comments you would like to offer on this draft Order?

Further comments as noted below.

**Trade Union Representation**

We would also like to see greater clarity in terms of trade union representation in addition to the prescribed staff representative in relation to the Integration Joint Board.

**Number of Voting Members**

For small local authority and partnership areas like Moray, we are also concerned by the limited number of IJB members who have a vote.

For Moray Council, there would be 3 elected members (the minimum number) sitting on the IJB. With a corresponding number of NHS Grampian Non-Executive members, this could mean that there could often only be the minimum quorate number of 4 voting members attending IJB meetings (if some members are sick or on annual leave). This means that there will be a regular risk that IJB meetings are not quorate.

**Co-Chairs**

In situations when voting is tied, there is an obvious issue of the casting vote of the co-chairs if they disagree with one another. We consider that it would be an inadequate response to propose that this issue could simply be addressed by a rotating co-chair for each meeting. We would appreciate clarification in terms of how this issue could be addressed.

**Term of Office for Co-Chairs**

The 3 year term of office was considered to be too long and the duration could be at considered as being the discretion of each IJB Partnership.

**Insurance cover for IJB members**

Clarity is required to provide assurance that IJB members will be sufficiently protected under the Act and Regulations.

**Notice of meetings**

Electronic notification of meetings is referred to as 3 clear days before meetings. Clarification is required if this includes weekends?

**Deputies**

We propose for consideration that every voting member of the IJB should have a nominated substitute. This person can then stand in when the nominated person cannot attend. This would also support succession planning.

**Conflict of Interest**

There are different codes of conduct for elected members and NHS Board members. We think that there should be the same test to ensure that there is the same clarity of understanding of responsibilities for all IJB members.

**ANNEX 3(D)**

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**ESTABLISHMENT, MEMBERSHIP AND PROCEEDINGS OF INTEGRATION JOINT MONITORING COMMITTEES ESTABLISHED UNDER THE PUBLIC BODIES (JOINT WORKING) (SCOTLAND) ACT 2014****Consultation Questions**

1. Do you agree with the proposed minimum membership of the integration joint monitoring committee, as set out in the draft Order?

Yes

No

2. If you answered 'no', please list those you feel should be included:

N/A

3. Are there any other areas related to the operation of the integration joint monitoring committee that should also covered by the draft Order?

N/A

4. Are there any further comments you would like to offer on this draft Order?

N/A

**PRESCRIBED MEMBERSHIP OF STRATEGIC PLANNING GROUPS  
ESTABLISHED UNDER THE PUBLIC BODIES (JOINT WORKING) (SCOTLAND)  
ACT 2014**

**CONSULTATION QUESTIONS**

1. The draft Regulations prescribe the groups of people that should be represented on the strategic planning group. Do you think the groups of people listed are the right set of people that need to be represented on the strategic planning group?

Yes

No

2. If no, what changes would you propose?

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

We think it would be helpful to ensure that there is no ambiguity of terminology and that Local Authority Housing Services sit on the Strategic Planning Group. Their inclusion would be regardless if Housing is determined as being in or out of scope in terms of IJB prescribed functions.

**PRESCRIBED FORM AND CONTENT OF PERFORMANCE REPORTS  
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 performance report?

Yes

No

2. If no, please explain why:

3. Are there any additional matters you think should be prescribed in the performance report?

Yes

No

4. If yes, please tell us which additional matters should be prescribed and why:

5. Should Scottish Ministers prescribe the form that annual performance reports should take?

Yes

No

6. If you answered yes, what form should Scottish Ministers prescribe?

As stated in the regulations, a balance needs to be struck from providing direction but not undermining creativity. However based on comments received from our performance colleagues, we consider that the annual performance reports should be biased towards a prescriptive format.

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

Performance colleagues have requested suitable length of time in preparing the submission of the annual return.