

Bield, Hanover (Scotland) and Trust Housing Associations response to the Scottish Government Consultation:

Draft Regulations relating to Public Bodies (Joint Working) (Scotland) Act 2014 – Set 2

Bield, Hanover (Scotland) and Trust (BHT) welcome this opportunity to respond to the second set of draft regulations relating to the Scottish Government's Public Bodies (Joint Working) (Scotland) Act 2014.

In our response we again outline our disappointment at the lack of consistent recognition afforded to and the visibility of housing and housing associations within the draft regulations. With this in mind, we have asked that, where appropriate, the housing sector is given better recognition within the regulations, such as when prescribing the groups which must be consulted when preparing or revising integration schemes; preparing draft strategic plans; and when making decisions affecting localities.

Housing associations, such as ourselves, already deliver and promote independent living; providing localised, personalised preventative services; and maintaining information about older people's housing capacity and options, which, we believe, will prove invaluable as local authority areas begin progressing their integration plans.

It is clear that housing associations will play a central role to the integration agenda success as overall demand for Very Sheltered Housing and Extra Care Housing increases over the next decade, in line with expected demographic changes. It is therefore essential that housing is appropriately represented to ensure the most effective and efficient integration solutions are progressed.

We ask that the Government considers our suggested recommendations and notes our support for the proposed amendments put forward by the SFHA to the second set of regulations.

We hope that you find this response useful. We would be pleased to answer any questions that you may have about our response or the draft regulations more generally.

Yours sincerely,



Brian Logan
Chief Executive
Bield Housing & Care



Helen Murdoch
Chief Executive
Hanover Housing
Association



Bob McDougall
Chief Executive
Trust Housing Association

Annex 1(A) 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

The prescription of groups that must be consulted when preparing or revising Integration Schemes, drafting strategic plans, and making significant decisions in localities within the draft regulations is to be welcomed. As too is the flexibility provided for integration authorities to consult with other persons they think fit.

However, we are disappointed at the lack of direct reference and visibility of housing and housing associations in the government's list of Standard Consultees as defined within the draft regulations, particularly given the recognition of the sectors role afforded to it during the parliamentary process

We believe that the success of the integration of adult health and social care services will largely depend upon the effective joint strategic commissioning and strong local leadership. However, for this to happen, the importance of the housing sectors contribution needs to be consistently recognised throughout all integration processes.

As referenced in our response to Set 1 of the draft regulations to the Public Bodies (Joint Working) (Scotland) Act 2014, we would suggest that the SFHA be asked by government to act as a central reference point for the sector to ensure that both commercial and non-commercial housing is equitably and fairly represented in this process.

The effect of these Regulations will ensure that the new Integration Authorities take the most holistic approach available when devising local strategies and outcomes, including consideration of housing associations considerable experience and perspective in delivering localised, preventative service that empowers people to remain independent for longer.

We would, therefore, ask that housing and other non-commercial social housing providers and non-commercial social care providers are included in the prescribed groups referenced within these draft regulations.

Annex 2(A) Membership, powers and proceedings of integration joint boards established under the Public Bodies (Joint Working) (Scotland) Act 2014

The draft regulations, as written, will see the establishment of two categories of membership for the Integration Joint Board. The first will be a category of voting members made up of representatives nominated from the relevant Health Board and Local Authority. The second is a category of non-voting advisory members.

We are once again disappointed at the lack of recognition afforded to housing associations and other non-commercial providers of social housing and care services. This is particularly so given the consistent recognition of the important role the sector will have in delivering the integration agenda, through offering cost effective independent living, during the course of the Act's parliamentary scrutiny.

We would therefore ask that a representative of housing associations and other non-commercial social housing and care providers be added to the prescribed list of minimum advisory membership for each integration body. As noted in our above answer and our response to the first set of draft regulations, this role could be fulfilled by the SFHA.

Additionally, we would ask that both categories of membership are given the right to vote on issues material to the Integration Joint Boards. This would increase transparency in decision making while being consistent with the fundamental of one member one vote.

Annex 3(A) Establishment, membership and proceedings of integration joint monitoring committees established under the Public Bodies (Joint Working) (Scotland) Act 2014

Given the remit of the committee to provide on-going scrutiny and joint accountability of the integration arrangements, we welcome the inclusion of a Third Sector representative as part of the minimum requirement for the membership of the integration joint monitoring committee and the flexibility these regulations provide to seek wider membership if deemed necessary.

However, we would again ask that a representative of the housing sector is added to the prescribed minimum required membership for the integration joint monitoring committee.

If the integration agenda is to be successful, the importance of the housing sectors contribution needs to be consistently recognised throughout all integration committees, boards and processes. We believe, that failure to give housing the recognition and visibility afforded to the sector during the parliamentary process, risks the sectors' contribution being relegated to merely symbolic, which could have a detrimental effect on the proposals success.

Annex 4(A) Prescribed membership of strategic planning groups established under the Public Bodies (Joint Working) (Scotland) Act 2014

Housing associations contribute much to the integration agenda. We provide varying levels of care and support to older people (and more widely, including those people with disabilities), which play a significant role in meeting national health and wellbeing targets, the physical and mental wellbeing of our tenants, thus minimising their need to access primary and secondary health and care services. Therefore, the requirement for local authority areas strategic planning groups to include representation from the housing and the third sector is to be welcomed. However, we would welcome further clarification around how the government envisages this representation will achieve quality and fairness across Scotland.

This is particularly the case regarding the requirement to treat third and independent sectors as key partners within the strategic planning process rather than simply having to adhere to the principles of engagement.

We believe that the success of the integration of adult health and social care services will largely depend upon the effective joint strategic commissioning. The effect of these Regulations should ensure that local authority area strategic planning groups take the most holistic and locally appropriate approach available when devising local strategies.

Annex 5(A) Prescribed form and content of performance reports relating to the public bodies (Joint Working) (Scotland) Act 2014

We welcome the aim of these draft regulations in requiring that the key elements of planning and delivery are reported on and also that there is a measure of national comparability between the reports, while retaining flexibility for each Integration Authority to reflect local circumstances. This should allow for best practices to be identified and spread more efficiently.

However, we would stress the need for defined key performance indicators relating to the proposed national health and wellbeing outcomes, which include specific reference to independent living for older people and housing. Likewise, we would welcome the inclusion of indicators detailing how the integrated authorities carried out their consultation obligations as per the Scottish Housing Regulator's approach to consultation. Without such measurements, we believe, it would be very difficult to quantify the success and/or failure of the integration progress.