

ANNEX 1(D)

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?

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

We would wish to seek clarity as to the meaning of 'social housing' in the phrase 'commercial/non-commercial providers of social housing'.

ANNEX 2(D)

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:

Officer offering financial advice to Board

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

We would seek clarity about what is meant by "appropriate person" as NHS members of the Integration Joint Board. Specifically clarification is required in relation to Article 7(a) and the use of the term "member of a Health Board" whether this refers to a senior officer, employee, or person granted delegated powers by the board.

The inclusion of a power for the Board to delegate any of its functions to the Chief Officer to ensure the smooth running of the partnership could be considered.

The definition of 'appropriate person' in Art 3(7)(a) requires amendment to ensure that the exclusion of a person who is both a member of the Health Board and a Councillor pertains only to a board member who is an elected member for the local authority which a constituent of the IJB.

Article 4(4) refers to the ability of constituent authorities to change the person appointed as chair or vice-chair. This should be similarly considered in relation to ordinary members and, given the requirement to consult with relevant groups to appoint those members referred to in Article 3(2)(a)-(d), there also needs to be comparable facility here too.

Amendment should be considered in relation to Article 8(3) and Article 12 to make provision for membership ending automatically for Councillors where they cease to hold office and automatic removal upon disqualification.

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

We have some concerns around the implied minimum number of elected member representatives on an Integration Joint Board. This does not seem to us to reflect strong local democratic accountability.

There is an error in the definition of “voting member” in Article 1 of the regs. The reference to 5(1)(a) should read 5(2)(a).

Given that the IJB will be a different entity, created under Order, it would be helpful for the legal basis underpinning the meeting of the IJB to be clarified, e.g., Public Bodies (Admission to Meetings) Act 1960 or Local Government Scotland etc Act. Any amendments required to these should also be considered.

ANNEX 4(D)

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?

Propose that Strategic Planning Group have ability to combine health and social care service users and carers and are only required to have commercial health care representatives where there is a service operating in their local area. Having separate members representing health versus social care reinforces separation between health and social care and would not be in line with the operation of our local Public Partnership Forum.

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

Suggest that Strategic Planning Group has audit and scrutiny role in ensuring that all voices have been heard in the development of the plan rather than being seen as the actual involvement mechanism. Unclear as to how acute perspective will be represented from this list of members.

**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?

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

It is important that performance is reported and can be robustly scrutinised, and we believe that the draft prescribed content should enable this. We would ask however that the prescribed reports are also accepted by the Scottish Government as Statutory Performance Reports, and as such should **replace** rather than be in addition to the current returns required of local authorities and NHS Boards.