

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

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

We understand that the prescribed groups are widely defined in order to avoid missing out anyone who should be consulted on the integration scheme, draft strategic plan and locality planning. The comment we made in response to set 1, annex 1 holds good here; in relation to the third sector, some guidance from the Scottish Government on appropriate representation would be helpful. In the meantime, we have asked the third-sector interface organisation to represent third sector organisations.

It makes sense to include health and social care professionals, carers and service users and providers. We have developed consultation and involvement structures in our existing partnership arrangements involving all these groups and would propose continuing in the same vein. An element of common sense and flexibility are important here and regulations should not be over-prescriptive.

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

CONSULTATION QUESTIONS

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

We recommend that Article 8(3) (*ceasing to be Council member*), should be deleted. If a Board Member ceases to be a Councillor, they would no longer have a democratic mandate from the electorate to serve on the Integration Joint Board. It is for this reason that in other local government boards, such as licensing boards, a Councillor ceases to be a member of that board if they are not re-elected.

We have a number of other comments which are similar to those of other local authority respondents:

The maximum three year term of office for members of the Integration Joint Board is out of sync with the four year local government election cycle and consideration should be given to changing this to four years and aligning the cycles.

In article 9 (voting), the necessity for a quorum should be included. The quorum is specified in the schedule as two thirds of voting members from the health board and local authority. In the case of North Lanarkshire, with four members from each, this would effectively mean the quorum is three quarters of voting members from the health board and local authority. Consideration should be given to reduced this or making it a matter for local decision.

On the matter of deputies, we agree that substitute councillors and health board members, entitled to vote, should be identified in advance of each term of appointment. This would obviate the need for temporary voting arrangements as proposed in 10 (1). Although not an issue in relation to voting, we suggest that the principle of substitute members be extended to non-voting members from the voluntary and community sectors.

In relation to article 12 (disqualification), we would add that a councillor who is disqualified from being a member of the local authority should be disqualified from sitting on the joint board.

In article 14(2, on non-attendance for three consecutive meetings, we would agree that the wording “throughout a period of six consecutive months” should be used in order to conform to the Local Government (Scotland) Act 1973. It

is assumed that this provision applies equally to voting and non-voting members.

Regarding article 19, the power of the Joint Board to enter into contracts, we would echo other respondents who suggest that this would require the Joint Board to have Standing Orders for contracts and question whether this power implies that the Board cannot use the existing powers and facilities of the constituent authorities. Going back to the fundamental point of the Integration Board's governance as opposed to operational role, we would ask that the Scottish Government clarify under what circumstances a joint board would enter into contracts.

In the Schedule, paragraph 6 (conflict of interest), we agree with colleagues from other local authorities that a statement is added to this paragraph that "in respect of local authority nominated members of the Joint Board, they must comply with the standard set out in the Public Life – Code of Conduct for Members of Devolved Public Bodies and the Councillors Code of Conduct and Guidance".

**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?

Not applicable

2. If you answered 'no', please list those you feel should be included:
3. Are there any other areas related to the operation of the integration joint monitoring committee that should also covered by the draft Order?
4. Are there any further comments you would like to offer on this draft Order?

**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

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

Our only reservation is in relation to the manageability of the group and therefore the planning process, but this difficulty can be overcome and is outweighed by the benefit of the collective expertise and knowledge which will be available.

**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

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

Yes

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

The Ministers should commission the Scottish Community Care Benchmarking Group to devise the form of the report, building it around Th3 national outcomes.

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

Over the years, partners in North Lanarkshire have developed a range of joint performance processes at care group and locality level. These will meet most of the requirements set out in the draft regulations. Issues relating to measuring and reporting on the national outcomes are discussed in set 1, annex 4. We welcome the recognition of the need for flexibility at a local level to take into account existing robust reporting processes and the national Review of Community Planning which will assist with the process of the reporting of the new national health and wellbeing outcome measures.