

## 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?

Whilst we are very comfortable with the groups of people listed, given that consultation and engagement with these groups of people would be standard practice, the draft regulations seem to be unusually prescriptive.

## 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:

The draft Regulations do not list statutory finance officers from either of the parent bodies as part of the minimum non-voting advisory membership for each Integration Joint Board. This should not be optional.

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

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

1. The draft Order only requires Health Boards to have at least two non-executive directors on the Integration Joint Board, leaving the possibility of executive directors being nominated members with voting rights. We do not think this is appropriate as it leads to lack of parity with local authorities where executive directors are not permitted on the Board as voting members.

2. At 8(3) of the draft order, a councillor is not required to resign from the Board on ceasing to be a Councillor. Given that the appointment is on the basis of being a Councillor we believe that membership of the Joint Board should cease at the same time as the member ceases to be a Councillor.

3. Within the Standing Orders at 5(1) it should be stipulated that any deputies from the health Board can only vote if they are non-executive members.

4. We assume that 'reasonable' expenses (s15 of the Standing Orders) can be defined using the policies and guidelines of the parent bodies so that councillors attending as board members are not potentially confused by separate expenses regulations. This would however lead to inconsistencies between Board members, depending on the parent body.

5. Should the employee director attend as the Health Board nominee, it would be best to ensure that the one 'staff side' representative as referred to at 3(1)(f) of the draft order is not from the Health Board.

## ANNEX 3(D)

---

### 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:

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?

5(3) of the draft Order should be altered to ensure that a councillor appointed to the Committee ceases to be a member of the Committee directly s/he ceases to be a councillor

At 3(1)(b), all three persons nominated by the Health Board should be non-executives as executive directors should not have voting rights. We do not think this is appropriate as it leads to lack of parity with local authorities where executive directors are not permitted to be voting members of the Committee.

At 4(2)(b), although this would not apply locally, the three members should be non-executive members of the Health Board.

We believe that 6(1) of the Schedule of matters to be included in Standing Orders should not include executives of health boards or officers of local authorities, as deutes have voting rights.

The statutory finance officers from both parent bodies should attend the Monitoring Committee. This is to ensure that financial scrutiny is informed by finance officers from both the parent bodies, and that a finance officer who is not from the lead agency can scrutinise.

## 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?

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

It is understandable that for pragmatic reasons the draft schedule includes both users of health care and users of social care. It is also understandable that the draft schedule lists cares of users of health care separately from carers of users of social care. However, over time as integration becomes embedded, this line will become increasingly blurred and the definition increasingly artificial.

The Schedule should state that where such representatives as are listed are not present in an area, then the requirement will not apply. There are no commercial providers of care currently active within this local authority area.

**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?

There is no evidence to date that integration authorities will, by their nature, deliver radical financial savings. The performance reports set expectations which do not take account of savings already made in areas where integrated management structures have already been implemented and savings have already been made through historical patterns of integration.

Whilst promoting autonomy and choice for people, the Social Care (Self-directed Support) (Scotland) Act 2013 is not a policy approach which creates efficiencies. This is especially the case in remote rural areas where there are no economies of scale or option to reduce services where facilities are provided at a *de minimis* level in terms of volume. The policy impact of the Self-directed Support Act does not appear to feature in the performance reporting requirements.