

People First (Scotland) Response to consultation on Draft Regulations Relating to Public Bodies (Joint Working) (Scotland) Act 2014 – Set 2

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

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 very strongly agree that Users of Health care and social care services must be involved and consulted, we are cautious about how this will work and whether the right approaches will be taken. Historically, there has been huge variance across health board and local authority areas about user involvement and it would be unfortunate if that inconsistency between areas were to continue with Public Bodies Joint Working.

The comment in the explanatory note that “The groups of persons are only prescribed insofar as they are likely to have an interest in the particular decision being taken” could be misused and wrongly interpreted if it was left to officers to decide which issues users are likely to have an interest in.

Our view is that throughout, when consultation is referred to, it should mean that independent user organisations, independently supported, should be the bodies consulted with rather than individuals selected by health boards or council officials or service systems. There should be a commitment to reasonable adjustment in processes so that the involvement and consultation processes are real and meaningful rather than tokenistic.

**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?

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?

We welcome the inclusion of a representative of users of services on the Integration Joint Boards. We are concerned that the simple statement of “a service user representative” which does not outline the process whereby the individual appointed service user is selected to represent and what process might be used to allow the individual to be representative of service users is a flaw in the draft Order.

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

To address the points under 3 above, we would recommend that service user representatives are members of membership organisations accountable, at the least, to their own memberships for the views they put across in the Joint Boards. Ideally, there should be support and resources to allow different constituencies of service users to meet together and to debate Joint Board issues, allowing the representative to, at least, be party to the wider discussion which can then be represented in the Joint Board. Such a service user structure might also allow for the nomination of the service user representative to the Joint Board. If there is to be only one representative on each Joint Board, there might be some kind of rotation allowing different service users' interests to be heard from time to time.

**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

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?

No

**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

2. If no, what changes would you propose?

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

We are concerned about the statement in relation to service users that: “this should be an individual, representative of people who use health or social care services” but, as outlined in 2D above, without any indication of the processes which could or should be followed to allow this to be achieved. Our own strong recommendation is to rely on service users’ own membership organisations to enable this process and to provide some resources to meet the cost of making this a real and meaningful involvement in strategic planning.

**ANNEX 5(D)
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. If no, please explain why:

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

No

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