

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?

It is not clear why there is any need to be as prescriptive as the regulations are in defining which groups should be consulted. There is also a degree of confusion around some groups e.g. why are non-commercial service providers and third sector service providers differentiated?

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

Given the challenges of existing non-coterminus boundaries in Health and Social Care coupled with the potential complexities around defining and determining the appropriate structures for locality planning, the level of consultation and engagement and potential for confusion for those consultees should not be underestimated.

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 list seems appropriate to the nature of the advice required and additional scope to seek advice where appropriate is welcomed. Whilst these are non-voting members and the issue is touched upon within the order, there is also some potential for conflict of interest in the context of strategic plans and consultation regarding these and integration schemes, for example, in respect of perceived fairness of third sector representation

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?

There is potential for confusion if membership is overly prescriptive where there is clearly scope within the order to appoint additional non-voting members as the Board sees fit. There is also a potential challenge in respect of Boards which cover a single NHS Board area and multiple local authority boundaries where the latter is able to request 10% of council members. Where this right is exercised by all local authorities represented it is unlikely that the single NHS Board could match the level of representation required in many cases or that the size of the integration board then becomes unmanageable and unable to reach consensus.

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:

Assuming this reflects the difference between the body corporate and lead agency models, it is unclear why there is a more detailed list for lead agency models. This also includes required members for the lead agency model that have no voting rights for the body corporate model. Reflecting on section one of the regulations setting out responsibility of the integrated board for monitoring and planning, this seems to contradict the ethos of those regulations.

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?

As with body corporate arrangements, the capacity of a single NHS Board to match the membership of multiple local authorities will be challenging and potentially unwieldy.

**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?

It is unclear why those boards require two separate entities, one to look at monitoring and the other to look at planning, which are essentially comprised of similar representation. The prescribed list is also exactly the same as the list of those requiring to be consulted on any proposed integration scheme or strategic plan so there is considerable potential for confusion and fatigue.

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

Existing community planning arrangements are not reflected throughout the regulations and the development of locality planning is likely to cut across existing structures, so some clarification around this would be beneficial.

**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?

As with section 1 of the regulations, it will be important to ensure the plethora of performance information required for joint integration boards and parent bodies is not contradictory or involves unnecessary duplication of effort. The principle of reporting and monitoring performance in delivery of strategic plans is accepted, however, there remains a need to clarify primacy in respect of governance and accountability as set out in section 1.