



West Lothian
Council

Health and Care Policy Development and Scrutiny Panel

West Lothian Civic Centre
Howden South Road
LIVINGSTON
EH54 6FF

31 July 2014

A meeting of the **Health and Care Policy Development and Scrutiny Panel** of West Lothian Council will be held within the **Council Chambers, West Lothian Civic Centre** on **Tuesday 5 August 2014 at 2:00pm.**

For Chief Executive

BUSINESS

Public Session

1. Apologies for Absence
2. Order of Business, including notice of urgent business
3. Declarations of Interest - Members should declare any financial and non-financial interests they have in the items of business for consideration at the meeting, identifying the relevant agenda item and the nature of their interest.
4. Draft Regulations relating to Public Bodies (Joint Working) (Scotland) Act 2014 - Set 2 - Consultation Response - Report by Depute Chief Executive, Community Health and Care Partnership (herewith)

NOTE **For further information please contact Val Johnston, Tel No.01506 281604 or email val.johnston@westlothian.gov.uk**



West Lothian
Council

HEALTH AND CARE POLICY DEVELOPMENT AND SCRUTINY PANEL

DRAFT REGULATIONS RELATING TO PUBLIC BODIES (JOINT WORKING) (SCOTLAND) ACT 2014 – SET 2 – CONSULTATION RESPONSE

REPORT BY DEPUTE CHIEF EXECUTIVE, COMMUNITY HEALTH AND CARE PARTNERSHIP

A. PURPOSE OF REPORT

The purpose of this report is to seek approval for the draft response to Set 2 of the draft Regulations relating to the Public Bodies (Joint Working) (Scotland) Act 2014 and recommend its submission to the Council Executive.

B. RECOMMENDATION

The Panel is asked to consider and approve the draft response to Set 2 of the draft Regulations relating to the Public Bodies (Joint Working) (Scotland) Act 2014 and recommend its submission to the Council Executive.

C. SUMMARY OF IMPLICATIONS

- | | |
|---|---|
| I Council Values | <ul style="list-style-type: none"> • Focusing on our customers' needs • Being honest, open and accountable • Providing equality of opportunities • Making best use of our resources • Working in partnership |
| II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment) | The Public Bodies (Joint Working) (Scotland) Act 2014 received Royal Assent on 1 April 2014. |
| III Implications for Scheme of Delegations to Officers | None at present. |
| IV Impact on performance and performance Indicators | Working in partnership. |
| V Relevance to Single Outcome Agreement | <p>We live longer, healthier lives.</p> <p>We have tackled the significant inequalities in</p> |

	West Lothian society.
	Our children have the best start in life and are ready to succeed.
	People most at risk are protected are supported to achieve improved life chances.
VI Resources - (Financial, Staffing and Property)	Within existing resources.
VII Consideration at PDSP	Health & Care PDSP 12 th June 2014
VIII Other consultations	None.

D. TERMS OF REPORT

The Public Bodies (Joint Working) (Scotland) Act 2014 received Royal Assent on 1 April 2014 with a requirement for councils and health boards, working together, to submit an integration scheme for Ministerial approval by 31 March 2015. This puts in place the framework for integrating health and social care in Scotland and provides the legislative basis for NHS boards and local authority partners to establish Integration Authorities.

The policy intention is to achieve the integration of adult health and social care functions, while providing local flexibility to integrate further for other specified functions of local authorities.

The key features of the legislation are nationally agreed outcomes, Integration Scheme, Strategic Plan, locality planning and integrated budgets. It is intended that budgets and resources will be integrated to focus attention on the outcome for the individual, which will build on the valuable work already in place in West Lothian to continually improve people's health and care experience across home, community and hospital settings.

The Scottish Government is currently consulting on the secondary legislation that will underpin the Act and public consultation will follow on the broader statutory guidance that will further support integrated service provision.

Consultation on the first set of draft Regulations will run for 12 weeks from 12 May until 1 August 2014. Consultation on the second set will run for 12 weeks from 27 May until 18 August 2014. Following the completion of consultation on both sets of draft Regulations an analysis of written responses will be published.

The final versions of each will be laid before Parliament from late September 2014 before coming in to force by the end of 2014. Copies of the draft Regulations can be accessed by going to

<http://www.scotland.gov.uk/Publications/2014/05/5284/downloads> and
<http://www.scotland.gov.uk/Publications/2014/05/6659/downloads>

There are five areas covered by the second consultation as follows

- Prescribed groups which must be consulted when preparing or revising Integration Schemes; preparing draft strategic plans; and when making decisions affecting localities
- Membership, powers and proceedings of Integration Joint Boards
- Establishment, membership and proceedings of integration joint monitoring committees
- Prescribed membership of strategic planning groups
- Prescribed form and content of performance reports.

E. CONCLUSION

This report informs the Panel of the draft Regulations relating to the Public Bodies (Joint Working) (Scotland) Act 2014. The Panel is asked to consider and approve the draft response and recommend its submission to the Council Executive.

F. BACKGROUND REFERENCES

Public Bodies (Joint Working) (Scotland) Act 2014

Appendices/Attachments: 1

Draft Response to the Consultation on Set 2 of the draft Regulations relating to the Public Bodies (Joint Working) (Scotland) Act 2014.

Contact Person: Jim Forrest, CHCP Director

01506 281977

Jim.Forrest@westlothian.gov.uk

Date: 5.08.14

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

RESPONDENT INFORMATION FORM

Please Note this form **must** be returned with your response to ensure that we handle your response appropriately. **If you are responding to more than one set of regulations at the same time, you only need to complete this form once.**

1. Name/Organisation

Organisation Name

West Lothian Council

Title Mr ☒ Ms ☐ Mrs ☐ Miss ☐ Dr ☐ **Please tick as appropriate**

Surname

Forrest

Forename

Jim

2. Postal Address

West Lothian CHCP

Civic Centre

Howden South Road

Livingston

Postcode EH54 6FF

Phone 01506 281002

Email jim.forrest@westlothian.gov.uk

3. Permissions - I am responding as...

Individual

/

Group/Organisation

☐

Please tick as appropriate

☒

(a) Do you agree to your response being made available to the public (in Scottish Government library and/or on the Scottish Government web site)?

Please tick as appropriate

☐ Yes ☐ No

(c) The name and address of your organisation **will be** made available to the public (in the Scottish Government library and/or on the Scottish Government web site).

(b) Where confidentiality is not requested, we will make your responses available to the public on the following basis

Please tick ONE of the following boxes

Yes, make my response, name and address all available ☐

or

Yes, make my response available, but not my name and address ☐

or

Yes, make my response and name available, but not my address ☐

Are you content for your **response** to be made available?

Please tick as appropriate

☒ Yes ☐ No

(d) We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

Please tick as appropriate ☒ Yes ☐ No

4. Additional information – I am responding as:
Please tick as appropriate

1. NHS Health Board	
2. Other NHS Organisation	
3. General Practitioner	
4. Local Authority✓	
5. Other statutory organisation	
6. Third sector care provider organisation	
7. Independent / private care provider organisation	
8. Representative organisation for professional group	
9. Representative organisation for staff group e.g. trade union	
10. Education / academic group	

11. Representative group for patients / care users		
12. Representative group for carers		
13. Patient / service user		
14. Carer		
15. Other – please specify		

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?

No.

ANNEX 2(C)



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

RESPONDENT INFORMATION FORM

Please Note this form **must** be returned with your response to ensure that we handle your response appropriately. **If you are responding to more than one set of regulations at the same time, you only need to complete this form once.**

1. Name/Organisation

Organisation Name

Title Mr ☐ Ms ☐ Mrs ☐ Miss ☐ Dr ☐ Please tick as appropriate

Surname

Forename

2. Postal Address

Postcode	Phone	Email

3. Permissions - I am responding as...

Individual

/

Group/Organisation

☐

Please tick as appropriate

☒

(a) Do you agree to your response being made available to the public (in Scottish Government library and/or on the Scottish Government web site)?

Please tick as appropriate

☐ Yes ☐ No

(c) The name and address of your organisation **will be** made available to the public (in the Scottish Government library and/or on the Scottish Government web site).

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Please tick ONE of the following boxes

Yes, make my response, name and address all available ☐

or

Yes, make my response available, but not my name and address ☐

or

Yes, make my response and name available, but not my address ☐

Are you content for your **response** to be made available?

Please tick as appropriate

☐ Yes ☐ No

(d) We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

Please tick as appropriate ☐ Yes ☐ No

4. Additional information – I am responding as:
Please tick as appropriate

1. NHS Health Board	
2. Other NHS Organisation	
3. General Practitioner	
4. Local Authority	
5. Other statutory organisation	
6. Third sector care provider organisation	
7. Independent / private care provider organisation	
8. Representative organisation for professional group	
9. Representative organisation for staff group e.g. trade union	
10. Education / academic group	

11.	Representative group for patients / care users	
12.	Representative group for carers	
13.	Patient / service user	
14.	Carer	
15.	Other – please specify	

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:

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?

Clarification required regarding how non-voting members would be selected in particular carer / service user representatives to ensure collective rather than individual representation.

ANNEX 3(C)



ESTABLISHMENT, MEMBERSHIP AND PROCEEDINGS OF INTEGRATION JOINT MONITORING COMMITTEES ESTABLISHED UNDER THE PUBLIC BODIES (JOINT WORKING) (SCOTLAND) ACT 2014

RESPONDENT INFORMATION FORM

Please Note this form **must** be returned with your response to ensure that we handle your response appropriately. **If you are responding to more than one set of regulations at the same time, you only need to complete this form once.**

1. Name/Organisation

Organisation Name

Title Mr ☐ Ms ☐ Mrs ☐ Miss ☐ Dr ☐ Please tick as appropriate

Surname

Forename

2. Postal Address

<input type="text"/>		
<input type="text"/>		
<input type="text"/>		
<input type="text"/>		
Postcode	Phone	Email

3. Permissions - I am responding as...

Individual

/

Group/Organisation

☐

Please tick as appropriate

☐

(a) Do you agree to your response being made available to the public (in Scottish Government library and/or on the Scottish Government web site)?

Please tick as appropriate

☐ Yes ☐ No

(c) The name and address of your organisation **will be** made available to the public (in the Scottish Government library and/or on the Scottish Government web site).

(b) Where confidentiality is not requested, we will make your responses available to the public on the following basis

Please tick ONE of the following boxes

Yes, make my response, name and address all available ☐

or

Yes, make my response available, but not my name and address ☐

or

Yes, make my response and name available, but not my address ☐

Are you content for your **response** to be made available?

Please tick as appropriate

☐ Yes ☐ No

(d) We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

Please tick as appropriate ☐ Yes ☐ No

4. Additional information – I am responding as:
Please tick as appropriate

1. NHS Health Board	
2. Other NHS Organisation	
3. General Practitioner	
4. Local Authority	
5. Other statutory organisation	
6. Third sector care provider organisation	
7. Independent / private care provider organisation	
8. Representative organisation for professional group	
9. Representative organisation for staff group e.g. trade union	
10. Education / academic group	

11. Representative group for patients / care users		
12. Representative group for carers		
13. Patient / service user		
14. Carer		
15. Other – please specify		

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?

No.

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

No.

**PRESCRIBED MEMBERSHIP OF STRATEGIC PLANNING GROUPS
ESTABLISHED UNDER THE PUBLIC BODIES (JOINT WORKING)
(SCOTLAND) ACT 2014**

RESPONDENT INFORMATION FORM

Please Note this form **must** be returned with your response to ensure that we handle your response appropriately. **If you are responding to more than one set of regulations at the same time, you only need to complete this form once.**

1. Name/Organisation

Organisation Name

Title Mr ☐ Ms ☐ Mrs ☐ Miss ☐ Dr ☐ **Please tick as appropriate**

Surname

Forename

2. Postal Address

Postcode	Phone	Email

3. Permissions - I am responding as...

Individual / Group/Organisation

☐

Please tick as appropriate

☐

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Please tick as appropriate

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Please tick as appropriate

☐ Yes ☐ No

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Please tick as appropriate ☐ Yes ☐ No

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Please tick as appropriate

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**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?

The Strategic Planning Group should include staff-side representation.

Also there needs to be an explicit link to community planning to ensure connectivity between this group and the local community planning agenda.

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

No.

**PRESCRIBED FORM AND CONTENT OF PERFORMANCE REPORTS
RELATING TO THE PUBLIC BODIES (JOINT WORKING)
(SCOTLAND) ACT 2014**

RESPONDENT INFORMATION FORM

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15. Other – please specify		

**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?

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

No.
