

**PROPOSALS FOR PRESCRIBED INFORMATION TO BE INCLUDED IN THE INTEGRATION SCHEME 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 Integration Scheme?

**Yes**

**No**

2. If no, please explain why:

In broad terms the prescribed matters cover what would be expected in the establishment of a new entity, recognising the scale and complexity of the integration expected. Throughout it is unclear where primacy in respect of governance rests between Integration Boards, local authorities and NHS Boards, which may potentially result in difficulty later. It is also unclear why integration schemes would include detail of any performance measures specific to NHS Boards and/or local authorities that are not covered by the integration scheme, the inference being some jurisdiction for monitoring and reporting against these, which is not recognised.

3. Are there any additional matters that should be included within the regulations?

**Yes**

**No**

4. If yes, please suggest:

There is no reference throughout to Special Boards and particularly those providing frontline operational services such as SAS and NHS 24, which can both support and will be affected by any changes to the strategic planning and delivery of integrated services.

Should there be come provision in the regulations for disbanding of a Board as a consequence of restructuring across local authority or NHS boundaries

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

Whilst there is an expectation that the inclusion scheme sets out the governance arrangements for key aspects of clinical, staff and information governance, it is not entirely clear where primacy for these rests between the joint boards, NHS Boards and local authorities and there is perhaps a need to clarify this further

**PROPOSALS FOR PRESCRIBED FUNCTIONS THAT MUST BE DELEGATED BY LOCAL AUTHORITIES RELATING TO THE PUBLIC BODIES (JOINT WORKING) (SCOTLAND) ACT 2014**

**CONSULTATION QUESTIONS**

1. Do you agree with the list of Local Authority functions included here which must be delegated?

Yes

No

2. If no, please explain why:

This is an extensive list and obviously specific to the functions of local authorities so, whilst the list appears to cover relevant areas it is difficult to offer a full response without intimate knowledge of the specific sections of the statute and regulations set out.

It is unclear as to the necessity for requirements under the Housing (Scotland) Acts 2001 and 2006 in respect of establishing and promoting social landlords and support to acquire property.

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

The implications of the delegation of these powers are difficult to comment on, for example, the impact of mental health responsibilities on the availability of mental health services. A number of the specific elements are in respect of funding recovery and without knowledge of the specific existing regulations these proposed regulations do not clarify expectations around service delivery beyond delegation of responsibility.

**PROPOSALS FOR REGULATIONS PRESCRIBING FUNCTIONS THAT MAY OR THAT MUST BE DELEGATED BY A HEALTH BOARD UNDER THE PUBLIC BODIES (JOINT WORKING) (SCOTLAND) ACT 2014**

**CONSULTATION QUESTIONS**

1. Do you agree with the list of functions (Schedule 1) that may be delegated?

Yes

No

If no, please explain why:

Given the recognised generality of much of the legislation covering NHS Boards currently, the functions set out in Schedule 1 offer little clarity of the specific elements of legislation that may be delegated e.g. Civil Contingencies Act

2. Do you agree with the list of services (Schedule 2) that must be delegated as set out in regulations?

Yes

No

If no (i.e. you do not think they include or exclude the right services for Integration Authorities), please explain why:

Delivery of a number of these services, specifically GMS and pharmaceutical is covered by national contracts which are not within the delegated responsibilities of the integration boards. As such, it is difficult to understand how these could be strategically planned below current level. This applies equally to any proposed further disaggregation of GP out of hours services, where the challenges of sustaining this at NHS Board level are already evident so any proposal to further dilute this capacity seems counter-intuitive.

Again, there is no reference to the Scottish Ambulance Service or NHS 24, or other special boards in supporting the shift from acute to community based services and it is unclear what the implications of the proposed transfer of responsibilities to integration boards will have on either service delivery expectations, funding allocations or access to services and more appropriate pathways.

3. Are you clear what is meant by the services listed in Schedule 2 (as described in Annex A)?

<b>Yes</b>	<input type="checkbox"/>
<b>No</b>	<input checked="" type="checkbox"/>

If not, we would welcome your feedback below to ensure we can provide the best description possible of these services, where they may not be applied consistently in practice.

Some of the terminology used is not familiar and, therefore, perhaps open to interpretation e.g. allied health professionals, will this include paramedic practitioners? Also, the use of 'unplanned emergencies' rather than unscheduled care, again, and understanding what the implications for Scottish Ambulance Service in fulfilling its functions and responsibilities are in this context.

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

No

**PROPOSALS FOR NATIONAL HEALTH AND WELLBEING  
OUTCOMES RELATING TO THE PUBLIC BODIES (JOINT  
WORKING) (SCOTLAND) ACT 2014**

**CONSULTATION QUESTIONS**

1. Do you agree with the prescribed National Health and Wellbeing Outcomes?

Yes

No

If no, please explain why:

2. Do you agree that they cover the right areas?

Yes

No

3. If not, which additional areas do you think should be covered by the Outcomes?

4. Do you think that the National Health and Wellbeing Outcomes will be understood by users of services, as well as those planning and delivering them?

Yes

No

5. If not, why not?

Recognising the need to expand with further detail and guidance on the specific elements of these measures, a key driver for integration is around removal of complexity and perceived lack of cohesion in access to and delivery of services, which doesn't feature explicitly other than being inferred in outcome 3.

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

Many of these outcome measures are reflected in existing national outcome measures for NHS Scotland albeit they are more specific in some cases; it is unclear how these will align with that wider performance framework and where accountability for delivery to meet these outcomes will therefore lie, given the responsibility of integration boards for planning and commissioning but not operational service delivery as such.

**PROPOSALS FOR INTERPRETATION OF WHAT IS MEANT BY THE  
TERMS HEALTH AND SOCIAL CARE PROFESSIONALS RELATING  
TO THE PUBLIC BODIES (JOINT WORKING) (SCOTLAND) ACT 2014**

**CONSULTATION QUESTIONS**

1. Do you agree that the groups listed in section 2 of the draft regulations prescribe what 'health professional' means for the purposes of the Act?

Yes

No

2. If you answered 'no', please explain why:

3. Do you agree that identifying Social Workers and Social Service Workers through registration with the Scottish Social Services Commission is the most appropriate way of defining Social Care Professionals, for the purposes of the Act?

Yes

No

4. If you answered 'no', what other methods of identifying professional would you see as appropriate?



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

Whilst paramedics are specifically mentioned as a health professional covered by the regulations, there is no reference to the role of the Scottish Ambulance Service throughout the regulations so it is unclear what precisely will be covered.

**PRESCRIBED FUNCTIONS CONFERRED ON A LOCAL AUTHORITY OFFICER  
RELATING TO THE PUBLIC BODIES (JOINT WORKING) (SCOTLAND) ACT  
2014**

**CONSULTATION QUESTIONS**

1. Do you believe that the draft Regulations will effectively achieve the policy intention of the Act?

Yes

No

2. If not, which part of the draft Regulations do you believe may not effectively achieve the policy intention of the Act, and why?

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