

**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

Argyll and Bute Council and NHS Highland agree with the prescribed matters to be included in the Integration Scheme. We have agreed the model of partnership as Body Corporate at Council and Board meetings in March and April 2014. A Programme Board has been set up and is populated by senior managers from the Council and NHS Highland which includes the Chief Executives of the Council and NHS Highland, the Leader of the Council and Chairman of NHS Highland Board. The Programme Board have been meeting regularly to oversee the work of a joint project team charged with taking forward the preparatory work to deliver the new health and social care partnership. The project team are currently working on 11 work streams covering specific areas which include HR, Finance, Performance, Quality, Operations, OD, Property, Commissioning, IT, Communication and Support Services.

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

Yes

No

3. If yes, please suggest:

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

The recently published draft Integration Scheme by Scottish Government is very helpful and will assist partnerships to produce a scheme which meet the statutory requirements of the Public Bodies (Joint Working) (Scotland) Act 2014 Regulations. The format of the Integration Scheme will allow partnerships to follow a uniform national framework and avoid 32 different versions of Integration schemes.

**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

While Argyll and Bute Council welcomes the main aims of the consultation and acknowledges the general principles underpinning these draft regulations, we have some fundamental concerns regarding the implications for local authority housing services. We feel that the wording of the proposals is very generalised and will require significant clarification to ensure that the real policy intentions are achieved.

As it stands, the proposal is that **all** housing functions that fall within the specified sections of the relevant legislation must be delegated. Under Section 92 of Housing (Scotland) Act 2001 for instance this includes not only assistance to RSLs regarding adaptations but local authority strategic housing functions to promote and provide housing; and under Section 72 of Housing (Scotland) Act 2006 not only provision of private sector adaptations but also the wider range of local authority powers relating to the private sector, including repair and improvement grants via the Scheme of Assistance. On the other hand, other significant housing functions are dealt with elsewhere, and these only *may* be delegated. This would inevitably lead to the very disaggregation and anomalous splitting of currently co-ordinated housing functions, that these proposals are intended to address within the health and social care sectors.

Argyll and Bute Council agree that Housing has a significant role to play in terms of promoting positive health and well-being and should therefore be a key partner in the delivery of the national outcomes for the integrated health & social care agenda. Nevertheless we are of the view that not all recipients of Housing Services (including housing support services) either receive a health or social care service or would understand their general accommodation or related support needs and aspirations as falling within the remit of the integrated Joint Board. We also feel that there may be a basic confusion of terminology, between the health and social care sector understanding of "housing support" and that of the housing sector itself; and that this could be usefully explained in the consultation and proposals.

The Council believe housing support should be defined as the provision of adaptations and equipment only within the final set of Regulations.

NHS Highland and Argyll and Bute Council confirmed the services to be delegated to the new partnership arrangements in June 2014. Argyll and Bute Council are delegating functions in relation to Adult Services (including aids and adaptations) Children and Families Social Work Services including Criminal Justice services. This decision was based on a robust options appraisal exercise undertaken by the Council project team which included the involvement of Heads of Services within Community Services as well as Argyll and Bute's Chief Social Work Officer. The agreed scope of services goes beyond the minimum requirements of the legislation and represents a significant commitment by the Council to keep Social Work Services together in Argyll and Bute. It is the Council's view that the agreed scope of services will help secure improved governance, standards, quality and improvement consistently across its four localities. The Council welcomes the opportunity to discuss issues with other partnerships in relation to acute services with neighbouring Local Authorities and Health Boards in due course.

Finally the Council would welcome discussions with Scottish Government at an appropriate time regarding how Criminal Justice Services are linked to Community Planning Partnerships and Integration Authorities governance arrangements and structures given Criminal Justice Services are being delegated to the new Health and Social Care Partnership in Argyll and Bute.

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

No.

## ANNEX 3(D)

### 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

NHS Highland and Argyll and Bute Council confirmed the scope of services to be included within the new health and social care partnership in June 2014.

All NHS services in Argyll and Bute (all planning, delivery and commissioned services) are to be delegated to the new health and social care partnership. The Council was consulted by the Board on this decision and welcomed the approach taken.

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:

The range of services included within Schedule 2 reflects the minimum level of delegation required within the regulations. Argyll and Bute Council is co-terminus with the current Argyll and Bute CHP which is the operational arm of NHS Highland in Argyll and Bute. As a result NHS Highland has confirmed its intention to delegate all services to the new health and social care partnership. The only exclusions are any NHS services that are national resources. These will not be delegated.

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

Yes

No

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.

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

Argyll and Bute Council and NHS Highland welcome the national outcomes framework. The opportunity for the Council and NHS to tackle longstanding complex issues relating to health inequalities is best tackled by partnerships working together and focussing on the same set of outcomes. It is also very encouraging that partnerships will have an opportunity to build on local outcomes that continue to develop and evolve as we gain a better understanding of what people in Argyll and Bute need to develop their own capacity to live more independent lives within their own homes.

As a remote and rural Council with 23 inhabited island the diverse needs of our communities provide real challenges in the way we plan and deliver services. The ageing population and roll out of SDS will all impact on the way the new partnership deliver more personalised support to people who live in our communities. A focus on nationally agreed outcomes supplemented with more local performance information/outcomes will help us to improve our performance and reshape public services over the next 10 years.

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

It is important that the partnership ensure that significant effort is made to engage, involve and listen to feedback from people across Argyll and Bute when developing the 3 year Strategic Plan related to the Public Bodies (Joint Working) (Scotland) Act 2014. The opportunity to explain the national outcomes with individuals, families, carers and other organisations will be followed through during the co-production of the Integration Scheme and Strategic Plan in 2014/15.

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

No.



**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

Argyll and Bute Council and NHS Highland agree that the groups listed in Section 2 of the draft Regulations prescribe what "health professional" means for the purpose of the Act. The exclusion of Health Visitors from this list was unexpected and requires further consideration.

2. 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

Argyll and Bute Council and NHS Highland agree that identifying Social Workers and Social Care Workers through registration with the Scottish Social Services Council is the most appropriate way of defining Social Care Professionals for the purposes of the legislation.

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

The critical statutory role of the Chief Social Work Officer is recognised by the Programme Board and it is expected that further consideration will be given to the role of the CSWO in relation to how the post holder will continue to support the Shadow Integration Board, Integration Authority and the Council. The role of giving professional advice in relation to social work issues going forward specifically during 2104/15 and leading up to and beyond 2016 remains critical to the organisations mentioned.

Professional governance arrangements relating to NHS staff across medicine, nursing and allied health professionals is currently under consideration. Proposals will be considered by the Programme Board in due course relating to future professional clinical governance requirements.

**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**

The criteria for authorisation of a Council officer is laid out within the Adult Support and Protection Scotland Act (Order 2008(b)).

Argyll and Bute Council and NHS Highland agree this regulation is required for the operational delivery of Adult Support and Protection legislation especially when Social Workers or other professionals are employed out-with Councils.

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

No.