

**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:

Largely satisfied, but concerned that ultimate accountability is not to a democratically elected group. Good governance would ensure that ultimately everything is accountable to a single democratically elected body.

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

Yes

4. If yes, please suggest:

We would like to see homelessness mentioned specifically as a matter which may be delegated and some discussion around making any appeals process for service users simple and clear. It is also not clear to us whether an integrated body would be able to make a Section 5 referral to a housing association in relation to homelessness which requires them to assist.

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

We are concerned that participation and engagement should be meaningful and views of consultees seen to be taken into consideration. Therefore as a minimum response to consultations, for example on the strategy, should be made publicly available so that there can be proper scrutiny of the process by which decisions are made.

The proposal that housing and the third sector should both be represented is welcome. However we believe that regulations should make clear (or guidance accompanying regulations) that 'non commercial housing providers' is intended to mean a representative with strategic responsibility for housing, such as the person responsible for the Local Housing Strategy and not a landlord. Similarly some discussion should be had about the nature of a 3<sup>rd</sup> sector representative, which in theory could be any organisation from a major provider with a vested interest in services, to a housing association to advice or advocacy organisations or umbrella bodies.

**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:

In relation to housing support functions, aids and adaptations, we believe that this should transfer to the 'may be delegated' list. It is unclear precisely how housing support functions are defined, and, as such, it would be more logical to allow the new integrated bodies etc. to determine which functions, and to what extent, should be delegated. The field of housing support is evolving rapidly, and it would be unfortunate if sensible arrangements were constrained by regulations which did not allow a flexible interpretation. A permissive rather than obligatory approach makes this more possible. Not all housing support functions fall under social work budgets. Many are funded through housing budgets. It is unclear what the implications are both for those services, and for ensuring a seamless delivery of care and support services.

3. regulations?

This comment relates to a number of the regulations. There is little reference to the housing options approach which dominates contemporary policies and practice in relation to many of the client groups affected by the Act. We recognise that 'housing options' can mean many different things in different contexts, and that there is no legislative context for the approach, but we believe that at the very least Guidance produced in relation to the Act and Regulations should consider this aspect in some detail.

**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:

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:

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

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

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

We have a particular concern at how adolescent psychiatric services, which are often relevant to young homeless people fit with this section. We are also unclear about the situation in relation to 16 and 17 year olds. Legislation prescribes different ages at which a young person is treated as an adult. In housing a young person from age 16 has the right to apply for and be considered for housing, some of the social work legislation refers to young people aged 17 and over and health legislation may be different. It will be important for transitional arrangements between children's and adult services do not become more confused. Guidance should make reference to these difficulties.

**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:

The outcomes need also to include a focus on sustaining people in their homes. The current focus of the outcomes is entirely upon health services and social care services, and gives no recognition to the important role of housing support services, which may be delegated.

Housing support services can both prevent people having to leave their homes to move into institutional care, and assist in a transition from institutional care into independent living.

Given that homelessness is also a function which may be delegated all outcomes should be 'proofed' to ensure they link with the housing options approach, prevention of homelessness and sustainable solutions to homelessness, recognising that services beyond direct health and social care services will contribute towards this. A specific indicator on homelessness should be developed which should link to the Scottish Government national indicator: improve access to suitable housing options for those in housing need.

It would also be useful to ensure that the outcomes link directly to the revised standards which are being consulted upon and which the Care Inspectorate will use when inspecting services.

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?

They are extremely vague and nebulous. It will be hard for a consumer of a service to argue that these are not being met even if a service is below par. There need to be more concrete outcomes perhaps at a level below that of the overarching outcomes.

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

13. Patient / service user	
14. Carer	

15. Other – please specify	3 <sup>rd</sup> sector umbrella organisation for homelessness
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## ANNEX 6(D)

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### **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?

With other points taken into account – please refer to our covering letter.

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