

# Voluntary Health Scotland Consultation Response



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

### Introduction

Voluntary Health Scotland is the national intermediary for a network of voluntary health organisations and workers. Our members range from large national health charities to small, local service providers, and members' interests span service planning and provision, prevention, early intervention, self-management, advocacy, and support for service users and carers.

We welcome the opportunity to respond to the consultation on the above regulations relating to the Public Bodies (Joint Working) (Scotland) Act 2014. Our comments reflect consultation with Voluntary Health Scotland members and the wider voluntary health sector.

While we support the intentions behind the regulations, there are areas that should be strengthened to ensure that the integration of health and social care is person-centred, participative for people, service users and carers, and promotes equal partnership among statutory, independent and third sectors. The associated guidance will be paramount to how these regulations are applied and we hope to see these principles reflected in more detail.

The Set 2 Regulations relate to engagement and involvement of people in shaping integration. There must be a parity of esteem between all prescribed people in the regulations and decision making processes must be taken forward in partnership including people who use support and services, unpaid carers and the third sector.

### Consultation

#### **Groups which must be consulted when preparing or revising integration schemes; preparing draft strategic plans; and when making decisions affecting localities**

The focus on engagement within the draft regulations is welcome. However, the wording of the regulations does not sufficiently incorporate the principles of co-production, as outlined in the initial Policy Memorandum. The regulations specify that the prescribed groups of people should be consulted and have the chance to express their views. Simple 'consultation' is not enough. The level and depth of this consultation should be extended to include active engagement and the regulations and associated guidance should ensure that a co-productive approach is adopted.

Co-production recognises the skills and assets of people in designing and delivering services. In relation to the integration of health and social care, involving people in the creation of integration schemes, strategic plans and locality planning, in addition to delivery and assessment, can have a significant impact on services. The third sector is also well placed to support people and communities to help enable their engagement in the design and delivery of services.

Full engagement for the people who use support and services, unpaid carers and the third sector is necessary to meet the needs and requirements of people in their local communities. The regulations and guidance should ensure that people are meaningfully engaged in this process, and Health and Social Care Partnerships should have mechanisms in place to monitor and report on this involvement.

It is also vital that the capacity of these groups is supported at local levels by public sector partners within the integration arrangements. We strongly support the addition of provisions to ensure that Health and Social Care Partnerships have mechanisms and resources in place to support, empower and capacity-build with local communities and organisations to support them to adequately engage with this process.

## **Membership, powers and proceedings of integration joint boards**

There are two categories of membership for the Integration Joint Board; voting members and non-voting advisory members. We are concerned that voting and non-voting advisory members, which includes people who use support and services, unpaid carers and the third sector, will not have parity of esteem.

The success of the Reshaping Care for Older People (RCOP) Change Fund has provided momentum for involving the third sector as a partner in strategic commissioning by giving third sector rights to sign-off plans. This has not been included within the Public Bodies (Joint Working) (Scotland) Act 2014. We are concerned that the strategic involvement of the third sector is missing from transitional arrangements and that Health and Social Care Partnerships may fail to involve non-voting advisory members in their proceedings.

The third sector has a key role both in improving outcomes for people and communities. It is vital that the third sector's knowledge, expertise, and information, is used to inform strategic commissioning and locality planning and ensuring the sector is not just used to deliver services that are planned by statutory sector partners.

We strongly support the addition of provisions in the regulations and guidance to help create the right culture and conditions to ensure that non-voting members are supported to engage effectively and meaningfully as equal and valued members of Integration Joint Boards.

## **Establishment, membership and proceedings of integration joint monitoring committees**

We welcome the inclusion of people who use support and services, unpaid carers and the third sector. However, as previously highlighted within this response, we would welcome the addition of provisions in the regulations and associated guidance to ensure that they are

meaningfully engaged in this process and they are supported by statutory sector partners to be able to do so.

## **Prescribed membership of strategic planning groups**

The integration planning principles state that services should be “planned and led locally in a way which is engaged with the community (including those who look after service-users and those who are involved in the provision of health and social care)”.

We welcome the inclusion of people who use support and services, unpaid carers and the third sector within the Strategic Planning Group. However, as previously highlighted within this response, we would welcome the addition of provisions in the regulations and associated guidance to ensure that they are meaningfully engaged in this process and they are supported by statutory sector partners to be able to do so. This includes ensuring that all partners have the capacity, time and resources to be able to engage effectively with statutory sector partners.

## **Prescribed form and content of performance reports**

We welcome the provision of content of performance reports and believe they should follow a standardised format and be available for public scrutiny.

We would also like to see a provision in the performance report that ensures people who use support and services, unpaid carers and the third sector are involved in the scrutiny Health and Social Care Partnerships. They should have the opportunity to report on their experiences of their involvement and engagement in the strategic planning process, subsequent service delivery and whether this has contributed to delivering National outcomes and performance against key indicators.

Furthermore, we would also like to see a provision that requires Health and Social Care Partnerships to report on how they have involved people who use support and services, unpaid carers and the third sector through community engagement and co-production in the joint working process. This reporting requirement would ensure that Health and Social Care Partnerships engage effectively and meaningfully with these groups, and held to account if they fail to involve them in their strategies.

## **Further Information**

Thank you for considering the comments discussed in the above consultation response on the Draft Regulations relating to the Public Bodies (Joint Working) (Scotland) Act 2014 (Set 2 of 2). Should you wish to contact Voluntary Health Scotland regarding the contents of this response, please direct any enquires to Susan Lowes, Policy and Engagement Officer at [susan.lowes@vhscotland.org.uk](mailto:susan.lowes@vhscotland.org.uk), 0131 474 6190.

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