

# **Members' Library Service Request Form**

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Originator	Angela Leitch
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Document Title	Response to Scottish Government Consultations on Draft
	Regulations and Orders Relating to Public Bodies (Joint
	Working)(Scotland) Act 2014

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East Lothian Council
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#### Additional information:

This constitutes the Council's response to the Scottish Government's consultations on regulations relating to Health and Social Care Integration, as discussed at Council on 24 June 2014.

Authorised By	Angela Leitch
Designation	Chief Executive
Date	01/08/14

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Bulletin	Aug14



# PROPOSALS FOR PRESCRIBED INFORMATION TO BE INCLUDED IN THE INTEGRATION SCHEME RELATING TO THE PUBLIC BODIES (JOINT WORKING) (SCOTLAND) ACT 2014

### RESPONDENT INFORMATION FORM

1. Name/Organisation Organisation Name		
East Lothian Council		
Title Mr □ Ms □ Mrs ⊠	Miss Dr P	lease tick as appropriate
Surname		
Leitch		
Forename		
Angela		
2. Postal Address		
John Muir House		
Haddington		
East Lothian		
Postcode EH41 4NJ PI	hone 01620 827222	Email chiefexec@eastlothian.gov.uk
3. Permissions - I am respo	onding as	
Individual	/ Group/Or	ganisation
☐ Plea	ase tick as appropriate	
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# PROPOSALS FOR PRESCRIBED INFORMATION TO BE INCLUDED IN THE INTEGRATION SCHEME RELATING TO THE PUBLIC BODIES (JOINT WORKING) (SCOTLAND) ACT 2014

### **CONSULTATION QUESTIONS**

to the Scheme.

1.	Do you agree with the prescribed matters to be included in the Integration Scheme?
	Yes
	No X
2.	If no, please explain why:
	It is not clear why the only professionals who must be included in the IJB are Chief Social Work Officer and Clinical Director/Associate Medical Director. This ignores the role of the large NHS workforces in nursing and Allied Health Professionals and the contribution that a Chief Nurse or Allied Health Professional lead can make to governance decisions.
	Clinical and Care Governance: It is not clear if there will be any guidance on the remit of clinical and care governance as it applies to the IJBs' functions compared to the continuing responsibilities of Councils and Health Boards. This can also be extended to Risk Management responsibilities of the IJB.
	The prescribed matters should include reference to the role of the Section 95 officer to the IJB and the accountability of that role such as included in the recent guidance on the Chief Financial Officer published by IRAG.
3.	Are there any additional matters that should be included within the regulations?
	Yes X
4.	If yes, please suggest:
	Role of Chief Nurse on IJB
	Role of an IJB in civil contingencies and emergency planning
	Role of the Chief Finance Officer on IJB
	It may be helpful for the IJB to have the ability to vary certain areas of the Scheme without the requirement to seek Ministerial approval, where the variation is within key parameters but would not result in a material change

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

It would be helpful if there was some clarity on the accountability of the IJB and the expected role of the Scottish Ministers against the background of existing community planning arrangements and single outcome agreements.



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

### RESPONDENT INFORMATION FORM

1. Name/Organisation Organisation Name				
East Lothian Council				
Title Mr 🗌 Ms 🗌 Mrs	⊠ Miss □	Dr 🗌 💮 Pl	ease tick as	appropriate
Surname				
Leitch				
Forename				
Angela				
2. Postal Address				
John Muir House				
Haddington				
East Lothian				
Postcode EH41 4NJ	<b>Phone</b> 01620	827222	Email chiefexec@e	eastlothian.gov.uk
3. Permissions - I am re	sponding as			
Individua	I /	Group/Or	ganisation	
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# PROPOSALS FOR PRESCRIBED FUNCTIONS THAT MUST BE DELEGATED BY LOCAL AUTHORITIES RELATING TO THE PUBLIC BODIES (JOINT WORKING) (SCOTLAND) ACT 2014

CONS	ULTATION QUESTIONS
	Do you agree with the list of Local Authority functions included here which must be delegated?
	Yes X
2.	If no, please explain why:
	The age definition of "at least 18 years old" presents issues, although of course it is understood that a cut-off has to be chosen. In East Lothian financial responsibility for complex cases passes to Adult Wellbeing at 16, unless the young person is 'looked after' in which case the transition can happen up to their 19 <sup>th</sup> birthday (soon to be 21 <sup>st</sup> under the Children and Young People's Act 2014). Children's Wellbeing may keep case responsibility for young people longer, but usually it is allocated to Adult Wellbeing 6 months or a year prior to the individual leaving school - nearer 17 or 18 years old.
	The age definition also impacts on the provision of housing. Most housing related services provided are available to those over 18, or in case of major adaptations all ages.
	It would be helpful if the guidance could make it clear that these issues are recognised and that partnerships are expected to be flexible in the application of the definition.
	The list does not mention home care. It may be implied in some of the defined functions e.g. Housing Support, but care at home is such a significant function and expenditure that it should be specified separately.
	The definition of housing support is not straightforward and in East Lothian Council is a shared responsibility between Housing and Social Care. It would be helpful if the regulations recognised this and indicated that partnerships are expected to be flexible in the application of the definition. Also, housing support services and aids and adaptations are distinct and separate services.
	[continues overleaf]

The list does not mention criminal justice social work services. Given:

- the likelihood that councils will remain responsible for these services;
- the crucial links with mental health, addictions, adult protection and domestic violence services;
- the risk of criminal justice social work being isolated if all the other functions are delegated; -

it is recommended that Councils are given the option to add criminal justice social work to the list of services delegated to the IJB.

3.	Are there any regulations?	further	comments	you	would	like	to	offer	on	these	draft
	No.										

### ANNEX 3(C)



# 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

### RESPONDENT INFORMATION FORM

	ame/Organisation anisation Name					
Eas	st Lothian Council					
Title	e Mr 🗌 Ms 🗌 Mrs	⊠ Miss [	] [	Or 🗌	Ρ	lease tick as appropriate
Suri	name					
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An	gela					
2 D	ostal Address					
	n Muir House					
	ddington					
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La	or Edinari					
Pos	stcode EH41 4NJ	Phone 016	620	82722	2	Email chiefexec@eastlothian.gov.u
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# 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 a	agree with the list of functions (Schedule 1) that may be delegated?
	Yes	
	No	x
	If no, ple	ase explain why:
acce pha pop pop Care part Boa stra Fun thes	epted that rmacists e ulation red ulation. T e functions nership le rd areas tegic plan ction will se services	d that General Medical Services are on the MUST list but it is not tother Independent Contractors functions are not (e.g. dentists, etc). These are vital primary care services to which the local quires access and which are core in maintaining the health of the hey also work closely with many of the prescribed NHS and Social s. It is recognised that the budgets are not easily disaggregated to evel, but that does not prevent the IJBs in multiple partnership having the delegated function, including these services in their is and agreeing that the NHS Board Primary Care Contractor carry out the contractual and budgetary work on their behalf. If is are not delegated these groups of independent contractors will gaged from local strategic and community planning.
2.	•	agree with the list of services (Schedule 2) that must be delegated as regulations?
	If no (i.e	e. you do not think they include or exclude the right services fo

r Integration Authorities), please explain why:

The list includes Health Visiting only as it applies to adult services. However Health Visiting is now primarily a children's service and so it is not practical to delegate the adult part of Health Visiting and not the children's services part. The list itself is contradictory in that it states the purpose of Health Visiting as "assessment care and treatment of children and older people" but does not include the Children's element in the delegated functions.

This position also ignores the fact that many partnerships will agree or have already agreed to include the full range of social care and NHS children's services in the partnership. It is recommended that flexibility is built into the definition to allow for these local variations.

The list does not mention School Nursing. It may be that this is implied in "Health Visiting", but it is a distinct service. School nursing should be listed separately. Also given the points about Health Visiting above it should be in the list of MUST functions with some flexibility built into the definition to allow for local variations. Partnerships should indicate how School Nursing will work closely with Education services.

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

Yes	
No	х

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.

See comments above in relation to health visiting.

"Care of older people" should be clear that this relates to inpatient care.

"Unplanned inpatients": it should be made clear that this definition is not intended to exclude surgical care e.g. treatment for fractured neck of femur. (This has been subsequently clarified in the joint letter from COSLA and the Cabinet Secretary and this should be included in the final regulations.)

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

In general the draft regulations seem to have arbitrary cut-offs built in. It is appreciated that precise definitions are very difficult, especially in universal services. However, the draft as it stands may prevent some partnerships achieving agreed local arrangements. It is recommended that some flexibility is built in to the final version to allow for variation.

East Lothian Council welcomes the intention to include hospital functions and budgets as set out in the draft regulations and as clarified in the joint COSLA/Cabinet Secretary letter.

### ANNEX 4(C)

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



### RESPONDENT INFORMATION FORM

	ame/Orga anisation									
	t Lothian									
Title	Mr 🗌 N	∕ls □	Mrs	⊠ Miss [	I	Dr 🗌	P	lease tic	k as	appropriate
Surr	name									
Leit	ch									
Fore	name									
Ang	gela									
2. Po	ostal Add	ress								
Joh	n Muir Ho	use								
Had	ddington									
Eas	t Lothian									
Pos	stcode El	141 41	NJ	Phone 01	1620	82722	2	Email chiefexe	ec@e	eastlothian.gov.uk
3. Pe	ermission	ıs -l	am re	sponding	as					
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### ANNEX 4(D)

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

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



	Yes No		
		blease explain why:	
	outcomes "health a and how protected additional reporting	eciated that there has been comprehensive work in developing the s, but for some there is no national data collected e.g. on how nd social care services contribute to reducing health inequalities" "people who use health and social care services are safe and from harm". There is a risk that these outcomes lead to all burdens of data collection in addition to data already collected for on other outcomes such as the priorities within the Single Agreement and HEAT targets.	
	IJB with arrangem and show	a need for further clarity on the accountability and direction of the nin the current structure of existing community planning nents. Many of the current strategic plans are developed jointly targets and success measures which arguably should inform the direction of the IJB.	
	_	ulations must be clear that the outcomes are aspirational in and that they do not create an enforceable individual ground of	
2.	Do you agı	ree that they cover the right areas?	_
	Yes No	x	
3.	If not, which	ch additional areas do you think should be covered by the Outcome	s?
	reduced th	e, it would be more effective if there were fewer outcomes that ne burden of measurement and which consumed less resource in ction and reporting.	
	should be health vis	r response [Annex 3D] expressed the view that the arrangements more flexible with the ability to include children's services of siting within IJB, in which case there are existing indicators d in SHANARRI.	

<b>4.</b> 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 X
5. If not , why not?
Whilst they are not difficult to understand in principle and are important things to achieve, they are difficult to define and measure and thus it would be difficult to demonstrate success (or failure).
6. Are there any further comments you would like to offer on these draft Regulations?
No.

### ANNEX 5(C)

# 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



### RESPONDENT INFORMATION FORM

	ame/Orgai anisation l									
	st Lothian (									
Title	Mr 🗌 N	ls 🗌	Mrs	⊠ Miss [		Dr 🗌	P	lease tic	k as	appropriate
Suri	name									
Leit	tch									
Fore	ename									
Ang	gela									
2 P	ostal Addr	220								
	ın Muir Hou									
	ddington									
	st Lothian									
Pos	stcode EH	41 4N	<b>1</b> J	Phone 01	1620	82722	2	Email chiefex	ec@e	eastlothian.gov.ul
3. P	ermission	s-la	am re	sponding	as					
		Indi	vidua	I	1	Group	o/Or	ganisati	ion	
			F	Please tick	as a	ppropri	ate		$\boxtimes$	
(a)	Do you ag response available Scottish C and/or on Governme	being to the Gover the S	g made publications publication	e c (in t library h		(c)	org ava Sc and	ganisatio ailable to	n <b>will</b> the poverning he Sc	
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(b)	Where co requested responses public on	d, we s ava	will mail	ake your to the			res	e you co sponse t ailable?		_

	Please tick ONE of the following boxes		Please tick as appropr ⊠ Yes ☐ No	iate
	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			
(d)	policy teams who may be wish to contact you again	addressir in the fut cottish Go se?	ally with other Scottish Governmeng the issues you discuss. They rure, but we require your permissivernment to contact you again in	may on to do
	r loade tiok as appropria			
	dditional information – I a ase tick as appropriate	am respo	nding as:	
	4 111011 111 1	•		
	1. NHS Health Board	l		
2.	Other NHS Organisation	<u> </u>		
3.	Other NHS Organisation General Practitioner			V
3. 4.	Other NHS Organisation General Practitioner Local Authority			X
3. 4. 5.	Other NHS Organisation General Practitioner Local Authority Other statutory organisation	on		X
3. 4. 5. 6.	Other NHS Organisation General Practitioner Local Authority Other statutory organisation Third sector care provider	on organisa		X
3. 4. 5.	Other NHS Organisation General Practitioner Local Authority Other statutory organisation	on organisa		X
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3. 4. 5. 6. 7. 8. 9.	Other NHS Organisation General Practitioner Local Authority Other statutory organisation Third sector care provider Independent / private care Representative organisation Representative organisation Education / academic grounds	on organisa provider on for pro on for sta	organisation fessional group f group e.g. trade union	X
3. 4. 5. 6. 7. 8. 9.	Other NHS Organisation General Practitioner Local Authority Other statutory organisation Third sector care provider Independent / private care Representative organisation Representative organisation	on organisa provider on for pro on for sta	organisation fessional group f group e.g. trade union	X
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# 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

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 x
2.	If you answered 'no', please explain why:
	Some further clarity is needed on the reference to healthcare workers. There are some Council-employed social care workers who are registered with the Health and Care Professions Council.
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 X No
4.	If you answered 'no', what other methods of identifying professional would you see as appropriate?
	n/a

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

The list of prescribed healthcare professionals includes dentists, optometrists and pharmacists but the primary care contractor elements of these professionals' services are excluded from the list of delegated functions. This is not consistent. As indicated in 3(D) we believe that these functions should be on the MUST list of delegated functions.

Adult and Children services employ staff such as community care assistants and Family Support Workers who are not registered but are an important part of the workforce.

### ANNEX 6(C)

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



### RESPONDENT INFORMATION FORM

1. Name/ Organisa	_									
East Lot										
Title Mr	□ N	ls 🗌	Mrs	⊠ Miss		Dr 🗌	P	lease tic	k as	appropriate
Surname	•									
Leitch										
Forenam	ne 💮									
Angela										
2. Postal	Addr	ess								
John Mu	ıir Hou	ıse								
Hadding	ton									
East Lot	thian									
Postco	de EH	41 4N	IJ	Phone 0	1620	82722	2	Email chiefex	ec@e	eastlothian.gov.u
3. Permi	ssion	s-la	ım res	sponding	as					
		Indi	vidua	l	1	Grou	p/Or	ganisat	ion	
			P	lease tick	as a	ppropri	ate			
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	_	ck as No	appro	opriate						
requestresp	uestec conse	l, we v s avai	will ma lable t	is not ake your to the g basis			res	e you co sponse t ailable?		

	Please tick ONE of the following boxes		Please tick as appropr ⊠ Yes ☐ No	iate			
	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						
(d)	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 appropria		⊠ Yes □No				
	4. Additional information – I am responding as: Please tick as appropriate						
	4 111011 111 1	•					
	1. NHS Health Board	l					
2.	Other NHS Organisation	<u> </u>					
3.	Other NHS Organisation General Practitioner			V			
3. 4.	Other NHS Organisation General Practitioner Local Authority			X			
3. 4. 5.	Other NHS Organisation General Practitioner Local Authority Other statutory organisation	on		X			
3. 4. 5. 6.	Other NHS Organisation General Practitioner Local Authority Other statutory organisation Third sector care provider	on organisa		X			
3. 4. 5.	Other NHS Organisation General Practitioner Local Authority Other statutory organisation	on organisa		X			
3. 4. 5. 6.	Other NHS Organisation General Practitioner Local Authority Other statutory organisation Third sector care provider Independent / private care Representative organisation	on organisa provider on for pro	organisation fessional group	X			
3. 4. 5. 6. 7. 8. 9.	Other NHS Organisation General Practitioner Local Authority Other statutory organisation Third sector care provider Independent / private care Representative organisation Representative organisation	on organisa provider on for pro	organisation fessional group	X			
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3. 4. 5. 6. 7. 8. 9.	Other NHS Organisation General Practitioner Local Authority Other statutory organisation Third sector care provider Independent / private care Representative organisation Representative organisation	on organisa provider on for pro on for sta	organisation fessional group f group e.g. trade union	X			
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3. 4. 5. 6. 7. 8. 9. 10. 11.	Other NHS Organisation General Practitioner Local Authority Other statutory organisation Third sector care provider Independent / private care Representative organisation Representative organisation Education / academic group Representative group for processing the sector of the se	on organisa provider on for pro on for stat up patients /	organisation fessional group f group e.g. trade union	X			
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ANNEX 6(D)

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

1.	Do you believe that the draft Regulations will effectively achieve the policy intention of the Act?
	Yes X
	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?
	It is acknowledged that additional regulations may be required through the course of the implementation and delivery of joint commissioning services.

### ANNEX 1(C)

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

1. Name/Organisation Organisation Name							
East Lothian Council							
Title Mr 🗌 Ms 🗌 Mrs	⊠ Miss □ I	Or 🗌 🛮 Pl	ease tick as	appropriate			
Surname							
Leitch							
Forename							
Angela							
2. Postal Address							
John Muir House							
Haddington							
East Lothian							
Postcode EH41 4NJ	<b>Phone</b> 01620	827222	Email chiefexec@e	eastlothian.gov.uk			
3. Permissions - I am re	sponding as	•					
Individua	ı /	Group/Org	ganisation				
	Please tick as ap	opropriate					
(a) Do you agree to your response being made available to the public Scottish Government and/or on the Scottish Government web site.  Please tick as appropriate Yes No	e c (in t library h e)?	org ava Sco and	e name and a anisation <b>will</b> ilable to the p ottish Governr l/or on the Sc vernment web	oublic (in the ment library ottish			

(b)	Where confidentiality is no requested, we will make y responses available to the public on the following bases	our e	Are you content for your response to be made available?					
	Please tick ONE of the following boxes		Please tick as appropri ☑ Yes ☐ No	iate				
	Yes, make my response, name and address all available	or						
	Yes, make my response available, but not my name and address							
	Yes, make my response and name available, but not my address	or						
	Tiermy address							
(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							
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	dditional information – I a ase tick as appropriate	ım respo	nding as:					
1.	NHS Health Board							
2.	Other NHS Organisation							
3.	General Practitioner							
4.	Local Authority			X				
5.	Other statutory organisation	on						
6.	Third sector care provider							
7.	Independent / private care	-						
8.	Representative organisation		<u> </u>					
9.	Representative organisation  Education / academic group		r group e.g. trade union					
	Representative group for p		care users					
	Representative group for o							
	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

1.	Do these draft Regulations include the right groups of people?  Yes  No  X
2.	If no, what other groups should be included within the draft Regulations?
	<ul> <li>Housing Professionals including commercial providers of specialist housing;</li> <li>private landlords;</li> <li>tenants and residents organisations.</li> </ul>
3.	Are there any further comments you would like to offer on these draft Regulations?
	Does the definition of non-commercial providers of social housing include both Local Authorities and Housing Associations?

### ANNEX 2(C)



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

### RESPONDENT INFORMATION FORM

	ame/Organisation anisation Name								
East Lothian Council									
Title Mr ☐ Ms ☐ Mrs ☒ Miss ☐ Dr ☐ Please tick as appropriate									
Suri	name								
Lei	tch								
Fore	ename								
Ang	gela								
2. P	ostal Address								
Joh	nn Muir House								
Ha	ddington								
Eas	st Lothian								
Pos	stcode EH41 4NJ	Phone 016	20	827222	Email chiefexec@e	eastlothian.go	v.uk		
3. P	ermissions - I am re	sponding a	s						
	Individua	I /	/	Group/Or	ganisation				
	□ F	Please tick as	s ap	opropriate					
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(a)	Do you agree to your response being made available to the public Scottish Government and/or on the Scottish Government web site.  Please tick as appropriate Yes No	e c (in t library h e)?		org ava Sc and	e name and ad panisation will ailable to the p ottish Governr d/or on the Sc vernment web	be made public (in the ment library ottish	r		

(b)	Where confidentiality is no requested, we will make y responses available to the public on the following bases.	our e	Are you content for your response to be made available?					
	Please tick ONE of the following boxes		Please tick as appropri ☑ Yes ☐ No	iate				
	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							
(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							
	dditional information – I a use tick as appropriate	ım respo	nding as:					
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2.	Other NHS Organisation							
3.	General Practitioner							
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	Representative group for p	-	care users					
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	Patient / service user							
	. Carer							

15. Other - please specify

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

1. Are there any additional non-voting members who should be included in the Integration Joint Board?
Yes X
2. If you answered 'yes', please list those you feel should be included:
The commitment to work closely with unions is welcomed. However the proposal to include a staff side representative could cause difficulties. The different ways of working with unions between Councils and the NHS will mean that it is difficult to agree which sector's union holds the non-voting seat. It may be better, in order to resolve this, that partnerships are required to demonstrate how they will maintain engagement with unions through existing mechanisms such as Joint Consultative Groups.
Section 95 Officer role will require to provide advice to the IJB and it is recommended that the role should be added to the minimum list of non-voting members.
There should be some consideration that the strategic housing authority should also be a non-voting member of the IHB.
3. Are there any other areas related to the operation of the Integration Joint Board that should also covered by this draft Order?
No comment to make on this.

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

It is the understanding of East Lothian Council and NHS Lothian that the section on voting membership allows 4 voting members from each. This is the current configuration of the Shadow Joint Board in East Lothian and both wish to retain this.

It is assumed that the definition of a quorum (at least 2/3 of the voting membership from each of the Council and NHS) in the draft schedule of matters to be included in standing orders can also apply to a membership that is not divisible by 3 e.g. where each body has 4 voting members. Also, consideration should be given to whether 2/3 quorum will work in practical terms especially in areas where a health board has a number of IJBs.

It is assumed that details in areas on which the regulations are silent (such as the process for selecting the chair and vice chair, process for agreeing terms of office, process for agreeing the full non voting membership etc.) will be developed and agreed locally.

It would be helpful if there is clarity on the role of non-voting members such as the role of advisor and whether or this raises any conflict issues.

### 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

1. Name/Organisation Organisation Name	
East Lothian Council	
Title Mr ☐ Ms ☐ Mrs ☒ Miss [	□ Dr □ Please tick as appropriate
Surname	
Leitch	
Forename	
Angela	
2. Postal Address	
John Muir House	
Haddington	
East Lothian	
Postcode EH41 4NJ Phone 01	D1620 827222 <b>Email</b> chiefexec@eastlothian.gov.uk
3. Permissions - I am responding	g as
Individual	/ Group/Organisation
☐ Please tick	k 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 no requested, we will make y responses available to the public on the following bases.	our e	Are you content for your response to be made available?					
	Please tick ONE of the following boxes		Please tick as appropri ⊠ Yes □ No	iate				
	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							
(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 appropria	te	⊠ Yes					
	dditional information – I a use tick as appropriate	ım respo	nding as:					
	1. NHS Health Board							
2.	Other NHS Organisation							
3.	General Practitioner							
4.	Local Authority			Х				
5.	Other statutory organisation							
6.	Third sector care provider							
7.	Independent / private care	•	G					
8. 9.	Representative organisation Representative organisation							
	Education / academic grou		i group e.g. trade union					
	Representative group for p	-	care users					
	Representative group for o							
	Patient / service user	· • • •						
	. Carer							

15. Other - please specify

# 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:
	No comment – East Lothian Council is committed to the IJB model
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 comment – East Lothian Council is committed to the IJB model
4.	Are there any further comments you would like to offer on this draft Order?
	No comment – East Lothian Council is committed to the IJB model

### ANNEX 4(C)



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

### RESPONDENT INFORMATION FORM

s⊠ Miss [	] [	Or 🗌 P	lease tick as	appropriate	
Phone 01	620	827222	Email chiefexec@e	eastlothian.go	v.uk
3. Permissions - I am responding as					
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Please tick a	ıs ap	propriate			
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	Phone 01 esponding a	Phone 01620 esponding as al / Please tick as apurede lic (in int library sh te)?	Phone 01620 827222 esponding as al / Group/Or Please tick as appropriate  ur (c) Th de org lic (in org nt library sh te)?	Phone 01620 827222  Email chiefexec@e esponding as  al / Group/Organisation  Please tick as appropriate  Ur de lic (in available to the post of the	Phone 01620 827222  Email chiefexec@eastlothian.go esponding as  al / Group/Organisation  Please tick as appropriate  Ur (c) The name and address of you 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 no requested, we will make y responses available to the public on the following bas	our	Are you content for your response to be made available?	
	Please tick ONE of the following boxes		Please tick as appropri ⊠ Yes ☐ No	iate
	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			
(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			nay on to do
	dditional information – I a ase tick as appropriate	ım respo	nding as:	
	1. NHS Health Board			
2.	Other NHS Organisation			
3.	General Practitioner			
4.	Local Authority			Х
5. 6.	Other statutory organisation Third sector care provider		tion	
7.	Independent / private care			
8.	Representative organisation	•		
9.	Representative organisation		-	
10.	Education / academic grou		<u> </u>	
	Representative group for p		care users	
	2. Representative group for carers			
	Patient / service user			
14.	Carer			

15. Other - please specify

# 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 x
2.	If no, what changes would you propose?
	It is felt that there is a potential conflict of interest in having private providers of healthcare and social care on the group where decisions on priorities for NHS and social care services will be made.
	In addition the bulk of private healthcare is private elective care and IJBs will not have delegated functions relating to this.
	Housing professionals including the strategic housing authority and the local authority function should also be included in the strategic planning group.
_	

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

In general the list seems too long and will result in a very large group which may be unable to carry out its functions due to its size. In addition all partnership areas have existing community planning structures that engage many of the persons on the list. There is a danger of duplication and confusion.



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

### RESPONDENT INFORMATION FORM

1. Name/Organisation Organisation Name			
East Lothian Council			
Title Mr ☐ Ms ☐ Mrs	⊠ Miss □	Dr 🗌 Ple	ease tick as appropriate
Surname			
Leitch			
Forename			
Angela			
2. Postal Address			
John Muir House			
Haddington			
East Lothian			
Postcode EH41 4NJ	<b>Phone</b> 0162	20 827222	Email chiefexec@eastlothian.gov.uk
3. Permissions - I am responding as			
Individual / Group/Organisation			ganisation
☐ Please tick as appropriate			
response being made available to the public Scottish Government and/or on the Scottish Government web site Please tick as apprent Yes No	e c (in t library h e)?	orga ava Sco and	e name and address of your anisation <b>will be</b> made ilable to the public (in the ottish Government library law) or on the Scottish vernment web site).

(b)	Where confidentiality is no requested, we will make y responses available to the public on the following bases.	our e	Are you content for your response to be made available?	
	Please tick ONE of the following boxes		Please tick as appropri ⊠ Yes □ No	iate
	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			
(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 appropria	te	⊠ Yes	
	dditional information – I a use tick as appropriate	ım respo	nding as:	
	1. NHS Health Board			
2.	Other NHS Organisation			
3.	General Practitioner			
4.	Local Authority			Х
5.	Other statutory organisation		_	
6.	Third sector care provider organisation			
7.	Independent / private care provider organisation  Representative organisation for professional group			
8.	<del>-</del>			
9.	Representative organisation for staff group e.g. trade union  Education / academic group			
	Representative group for p	-	care users	
	Representative group for o			
	Patient / service user	- a. J. J		
	Carer			

15. Other - please specify



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

1.	Do you agree with the prescribed matters to be included in the performance report?
	Yes X No
2.	If no, please explain why:
3.	Are there any additional matters you think should be prescribed in the performance report?
	Yes
	No X
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 X
	No

	No suggestions as to format, but it is recommended that the form should minimize effort in the collection of data, and not require the collection of additional data.
7.	Are there any further comments you would like to offer on these draft Regulations?
	No.

6. If you answered yes, what form should Scottish Ministers prescribe?