

The Improvement Service

ELECTED MEMBER BRIEFING NOTE

Public Bodies (Joint Working) (Scotland) Act 2014



What is the purpose of the briefing note series?

This briefing note provides basic information about the provisions of the Public Bodies (Joint Working) (Scotland) Act 2014, which brought about significant change in the way health and social care services are planned and delivered.

This briefing note has been developed in partnership with the Integration Division at the Scottish Government and the Convention of Scottish Local Authorities (COSLA).

A separate briefing note will shortly be published for elected members who do not currently serve on the new integration structures, to better understand their legitimate interest in and responsibility for how integration is working to deliver improved outcomes for communities.

What is the issue?

The Public Bodies (Joint Working) (Scotland) Act 2014 was passed by the Scottish Parliament in February 2014 and came into force on April 1, 2016. This provided the framework for the integration of health and social care services in Scotland.

Integration of health and social care has been introduced to change the way key services are delivered, with greater emphasis on supporting people in their own homes and communities and less inappropriate use of hospitals and care homes.

Principles of integration

The Act focuses on the importance of effective joint strategic planning and commissioning of services. The main principles of integration are:

- To improve the quality and consistency of care for patients, carers, service users and their families
- To provide services in a way which, so far as possible, is integrated from the point of service users and enables people to stay in their homes, or another residential setting in the community, where it is safe to do so
- To ensure that available facilities, people and other resources are used most effectively and efficiently, in a way that anticipates the needs (and prevents them arising) of the growing and aging population.

The Act requires local authorities and NHS boards to integrate the governance, planning and resourcing of adult social care services and key health services, by establishing an 'Integration Authority' (IA). Integration authorities can follow one of two structural models — a body corporate known as an Integration Joint Board (IJB), or a lead agency model featuring an Integrated Joint Monitoring Committee (IJMC). To date there are 31 IAs, consisting of 30 IJBs (with Stirling and Clackmannanshire combining to form one IJB) and one lead agency model in Highland. Further detail on IA arrangements can be found here: www.gov.scot/Topics/Health/Policy/Adult-Health-SocialCare-Integration/Narrative.

The Act contains a set of nine health and wellbeing outcomes. All health boards, local authorities and integration authorities are jointly accountable for the delivery of the nine outcomes. These outcomes provide a national framework for measuring the impact of integrated health and social care. Further information can be found at: www.gov.scot/Publications/2015/02/9966/downloads

Delegated functions of integration authorities

The regulations that underpin the Public Bodies (Joint Working) (Scotland) Act 2014 set out which health and social care functions and services must be delegated which, as a minimum, must include all of adult social care, adult primary and community health care and a proportion of adult acute services.

Other services, including children's health and social care and criminal justice may also be included in integrated arrangements, if there is local agreement.

The Public Bodies (Joint Working) (Scotland) Act 2014 places a duty on integration authorities (IA) — both integration joint boards (IJB) or health boards and local authorities acting as lead agencies — to create a Strategic Plan for the integrated functions and budgets that they control.

Integration authorities must establish a Strategic Planning Group for the purpose of developing, finalising and reviewing the strategic plan. The group has to also include representation from the third and independent sectors.

Each IA must define at least two localities, which are smaller areas within the borders of the IA, whose purpose it is to provide an organisational mechanism for local leadership of service planning to be fed upwards into the IA strategic commissioning plan. IAs must ensure that each locality has a representative on the strategic planning group.

IJB budgets are made up from sums delegated to them by health boards and local authorities. In 2016/17 IA budgets account for £8bn. The process for determining the sums to be delegated by them is set out in the Integration Schemes that established each IA.

What does this mean for elected members?

Elected members serving on IA structures are responsible for agreeing the joint strategic plan and ensuring its delivery. In fulfilling this responsibility their primary concern should be whether the strategic plan is robust, focused on delivering the national health and wellbeing outcomes, and whether the services supporting its delivery are securing best value. These are roles that elected members will be familiar with, due to carrying similar responsibilities within their council role.

Integration presents a challenge to elected members. Those serving on IA structures need to understand their new role, and those sitting within the wider council need to understand what parts of their role have changed because of integration, and what parts remain the same. Both sets of elected members need to be clear about each other's respective roles and the kind of relationship they need to have.

Key issues/questions for elected members to consider

- Have you had sight of the integration scheme which sets out governance and other arrangements for your IA?
- Do you understand how integration is working in your council, including what functions are delegated to the IA and how they are performing?
- Are you kept informed about decisions made by the IA?
- Do you have enough information about IA priorities and activities to be able to ensure other council and community planning activity is supporting IA work and contributing to achieving the national health and wellbeing outcomes?
- Do you have access to the Integration Chief Officer (or relevant Chief Executive, or other senior officer, under the lead agency model)?
- Do you have access to the elected members serving on IA structures and are you clear about your respective roles and responsibilities?

Summary

This briefing provides a basic background to the provisions of the Public Bodies (Joint Working) (Scotland) Act 2014. Elected members will want to ensure that they understand the integration arrangements in their own local area and consider their role and interest across three key areas as follows:

Partnership across other council services and community planning

The role of elected members in ensuring non-delegated services (e.g. leisure, housing, employability) make a significant contribution to delivering the national health and wellbeing outcomes and help to achieve a sustainable health and social care service into the future.

The role of elected members in supporting close partnerships across the totality of the public sector, for example through local community planning partnerships.

Performance and Best Value

The role of elected members in considering how integrated arrangements are contributing to health and wellbeing outcomes and delivering Best Value.

Local community leadership

The role of elected members in conversations with their communities about changes to local services; for example, the role councillors play in supporting the shift from beds-based models of care to communitybased models.

Further support and contacts

More information about the Public Bodies Act, including supporting regulations, guidance, and other support materials are available from the Scottish Government:

Statutory guidance - www.gov.scot/Topics/Health/Policy/Adult-Health-SocialCare-Integration/Implementation/ImplementationGuidance

Regulations - www.gov.scot/Topics/Health/Policy/Adult-Health-SocialCare-Integration/Implementation/Regulations

Public Bodies (Joint working) (Scotland) Act (2014) - www.legislation.gov.uk/asp/2014/9/pdfs/asp_20140009_en.pdf

Scottish Government integration page - www.gov.scot/Topics/Health/Policy/Adult-Health-SocialCare-integration

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