

ANGUS COUNCIL

SOCIAL WORK AND HEALTH EXECUTIVE SUB COMMITTEE – 31 JULY 2014

**PUBLIC BODIES (JOINT WORKING) (SCOTLAND) ACT 2014
CONSULTATION ON DRAFT REGULATIONS AND ORDERS - SET 1**

REPORT BY MARGO WILLIAMSON, STRATEGIC DIRECTOR

ABSTRACT

This report seeks approval for Angus Council's response to the Draft Regulations (set 1) as they relate to the Public Bodies (Joint Working) (Scotland) Act 2014.

1. RECOMMENDATION

It is recommended that the Social Work and Health Executive Sub Committee approves the response to the Draft Regulations (set 1) relating to the Public Bodies (Joint Working) (Scotland) Act 2014.

2. ALIGNMENT TO THE ANGUS COMMUNITY PLAN/SINGLE OUTCOME AGREEMENT/CORPORATE PLAN

This report contributes to the following local outcome(s) contained within the Angus Community Plan and Single Outcome Agreement 2013-2016:

- We have improved the health and wellbeing of our people and inequalities are reduced.
- Individuals are supported in their own community with good quality services.

3. BACKGROUND

3.1 On 1 April 2014 the Public Bodies (Joint Working) (Scotland) Act 2014 received Royal Assent. Draft Scottish Statutory Instruments to accompany the Act have been developed in collaboration with stakeholders. The Act provides for Scottish Ministers to put in place a number of Regulations and Orders which Ministers committed to consult widely on.

3.2 Consultation on the [first set](#) of draft regulations commenced on 12 May 2014, runs for twelve weeks until 1 August 2014 and covers draft regulations relating to:

- Prescribed information to be included in the Integration Scheme
- Prescribed functions that must be delegated by Local Authorities
- Prescribed functions that may or that must be delegated by a Health Board
- Prescribed National Health and Wellbeing Outcomes
- Interpretation of what is meant by the terms health and social care professionals
- Prescribed functions conferred on a Local Authority Officer.

3.3 Following Scottish Ministers' consideration of draft responses the Regulations and Orders may be amended. The final version of each statutory instrument will be laid before Parliament from late September 2014 coming into force by end of December 2014.

4. CURRENT POSITION

4.1 The timescale of the Scottish Government consultation has presented a challenge in terms of providing as wide an opportunity for partners, staff and stakeholders to participate in the consultation process. NHS Tayside has undertaken a consultation exercise with employees and will respond separately. Newsletters and staff intranets have informed staff of the consultation. Members of the public have been made aware through general news releases.

4.2 Comments received to date have been supportive of the draft regulations. It is acknowledged that some level of prescription is necessary however, it will also be necessary to allow the

maximum level of flexibility to ensure that local solutions can be put in place to take account of local priorities and challenges.

- 4.3 Angus Council and NHS Tayside have made good progress in relation to local governance arrangements with the establishment of a Health and Social Care Shadow Joint Board in October 2013 and the appointment of an Interim Chief Officer in April 2014. Discussions are currently underway about functions and resources which will be or may be delegated to the new Integration Authority.
- 4.4 The draft Regulations present no major issues for Angus Council and are a welcome development in the move towards Health and Social Care Integration in Angus.
- 4.5 The draft response to the consultation is attached at **Appendix 1**.

5. FINANCIAL IMPLICATIONS

There are no financial implications arising as a direct result of this report

6. CONSULTATION

Consultation has taken place with Service Manager (Housing,) Head of Service and Service Managers (Adult Care Services) and Health and Social Care Integration team.

NOTE: The background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) which were relied on to any material extent in preparing the above report are:

- Public Bodies (Joint Working) (Scotland) Act 2014
- Draft Regulations relating to Public Bodies(Joint Working)(Scotland) Act 2014 – Set 1

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List of Appendices:

- [Appendix 1](#) Response to Draft Regulations relating to Public Bodies(Joint Working)(Scotland) Act 2014 – Set 1