



Public Bodies (Joint Working) (Scotland) Act 2014

2014 asp 9

PART 1

FUNCTIONS OF LOCAL AUTHORITIES AND HEALTH BOARDS

Carrying out of integration functions

40 Carrying out of integration functions: general

In carrying out an integration function for the area of a local authority, a person must have regard to—

- (a) the integration delivery principles, and
- (b) the national health and wellbeing outcomes.

41 Carrying out of integration functions: localities

(1) This section applies where—

- (a) an integration authority carrying out an integration function for the area of a local authority proposes to take a decision which the integration authority considers might significantly affect the provision in a locality of the area of a service provided in pursuance of the function, or
- (b) a person carrying out an integration function for the area of a local authority proposes to take a decision which the person considers might significantly affect the provision in a locality of the area of a service provided in pursuance of the function.

(2) In subsection (1), “locality” means a locality of an area as set out in the strategic plan in pursuance of section 29(3)(a).

(3) The integration authority or, as the case may be, person must take such action as the authority or person thinks fit with a view to securing that the groups mentioned in subsection (4) are involved in and consulted on the decision.

Status: This is the original version (as it was originally enacted).

- (4) The groups referred to in subsection (3) are such groups of persons appearing to the Scottish Ministers to have an interest as may be prescribed.
- (5) The integration authority may pay to members of groups consulted under subsection (3) such expenses and allowances as the authority determines.

42 Integration authority: performance report

- (1) Each integration authority must prepare a performance report for the reporting year.
- (2) A performance report is a report setting out an assessment of performance during the reporting year to which it relates in planning and carrying out the integration functions for the area of the local authority.
- (3) The Scottish Ministers may by regulations prescribe the form and content of performance reports.
- (4) An integration authority must—
 - (a) publish each performance report before the expiry of the period of 4 months beginning with the end of the reporting year, and
 - (b) provide a copy of it to the persons mentioned in subsection (5).
- (5) Those persons are—
 - (a) where the integration authority is an integration joint board, each constituent authority,
 - (b) where the integration authority is a local authority and a Health Board acting jointly, the integration joint monitoring committee,
 - (c) where the integration authority is a Health Board or a local authority—
 - (i) the integration joint monitoring committee, and
 - (ii) the other authority.
- (6) A constituent authority must provide an integration authority which is an integration joint board with such information as the authority may reasonably require for the purpose of preparing a performance report.
- (7) The other authority must provide an integration authority which is a Health Board or a local authority with such information as the integration authority may reasonably require for the purpose of preparing a performance report.
- (8) In this section—
 - “other authority” means the local authority or the Health Board with which the integration authority prepared the integration scheme in pursuance of which the integration authority acquired its delegated functions,
 - “reporting year”, in relation to an integration authority, means—
 - (a) the period beginning with the date prescribed under section 9(3) or, as the case may be, 15(2) and ending on the first anniversary of that date, and
 - (b) each subsequent period of a year.

43 Reports

- (1) An integration joint monitoring committee may give reports to the integration authority on any aspect of the carrying out of the integration functions for the area of the local authority for which the integration joint monitoring committee is established.
- (2) A report may include recommendations as to how those integration functions should be carried out in future.
- (3) Where a report is given to an integration authority under subsection (1), the integration authority must—
 - (a) have regard to the report and any recommendations included in it,
 - (b) take such action as the authority considers necessary, and
 - (c) if the report includes recommendations, give the integration joint monitoring committee a response to them in writing as soon as is reasonably practicable after the authority is given the report.
- (4) An integration joint monitoring committee may publish—
 - (a) reports given under subsection (1),
 - (b) responses given under subsection (3)(c).
- (5) The local authority and the Health Board which prepared the integration scheme by virtue of which the integration joint monitoring committee is established must provide the committee with such reports, information or other assistance as the committee may reasonably require for the purpose of preparing a report under subsection (1).