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SCOTTISH STATUTORY INSTRUMENTS

2014 No. 326

The Public Bodies (Joint Working) (Content of Performance Reports) (Scotland) Regulations 2014

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Public Bodies (Joint Working) (Content of Performance Reports) (Scotland) Regulations 2014 and come into force on 20th December 2014.

(2) In these Regulations—

"the Act" means the Public Bodies (Joint Working) (Scotland) Act 2014; and

"service users" has the same meaning as in section 4(2) of the Act.

Prescribed content

2. The following regulations set out the prescribed content of a performance report prepared by an integration authority in terms of section 42 of the Act.

Service planning

3. A performance report must include—

(a) an assessment of performance in relation to the national health and wellbeing outcomes including—

(i) a description of the extent to which the arrangements set out in the strategic plan and the expenditure allocated in the financial statement have achieved, or contributed to achieving, the national health and wellbeing outcomes;

(ii) information about the integration authority's performance against key indicators or measures in relation to the national health and wellbeing outcomes; and

(iii) in respect of the information included in the performance report by virtue of sub-paragraph (ii), a comparison between the reporting year and the 5 preceding reporting years (or, where there have been fewer than 5 reporting years, all preceding reporting years, if any);

(b) an assessment of performance in relation to the integration delivery principles including information about the way in which the arrangements set out in the strategic plan, and expenditure allocated in the financial statement, have contributed to the provision of services in pursuance of integration functions in accordance with the integration delivery principles; and

(c) an assessment of performance in relation to strategic planning including, where applicable, information about the number of significant decisions that have been made by the integration authority to which section 36 of the Act (significant decisions outside strategic plan: public involvement) applies and the reasons for making each such decision.

Financial planning and performance

4.—(1) A performance report must include information about financial performance including—

(a) the total amount spent by, or under the direction of, the integration authority on each of the matters listed in paragraph (2);

(b) the proportion of the total amount paid to or set aside for use by the integration authority spent on each matter listed in paragraph (2); and

(c) if there has been an underspend or overspend against the planned spending set out in the annual financial statement, the amount of underspend or overspend and an assessment of the reasons for this.

(2) The matters referred to in paragraphs (1)(a) and (1)(b) are—

(a) health care services provided in pursuance of integration functions to hospital inpatients;

(b) health care services provided in pursuance of integration functions other than those provided to hospital inpatients;

(c) social care services provided in pursuance of integration functions to service users who are provided with a care home service or adult placement service;

(d) social care services provided in pursuance of integration functions to support unpaid carers in relation to needs arising from their caring role;

(e) social care services provided in pursuance of integration functions not mentioned in sub-paragraphs (c) or (d); and

(f) where one or more key care group has been identified in relation to the local authority area, health care services and social care services provided in pursuance of integration functions to service users within each of those key care groups.

(3) A performance report must include, in respect of the information which is included in the report by virtue of paragraph (1)(b) and (c), a comparison between the reporting year and at least the 5 preceding reporting years (or, where there have been fewer than 5 reporting years, all preceding reporting years, if any).

(4) In this regulation—

"adult placement service" and "care home service" have the same meaning as in schedule 12 to the Public Services Reform (Scotland) Act 2010(**1**);

"annual financial statement" means an annual financial statement published under section 39 of the Act (strategic plan: annual financial statement) which relates to the reporting year;

"inpatient" means a patient whose treatment requires the patient to be admitted to, and remain in, the place of treatment overnight; and

"key care group" means a group of service users with a shared characteristic or having similar care needs.

Best value in planning and carrying out integration functions

5.—(1) A performance report must include an assessment of performance in relation to best value, including information about how the planning and delivery of services in pursuance of integration functions have contributed to securing best value.

(2) In paragraph (1), the reference to 'securing best value' is a reference to—

(a) the duty to which that integration authority is subject by virtue of Part 1 of the Local Government in Scotland Act 2003(**2**); or

(**1**) 2010 asp 8.
(**2**) 2003 asp 1.

(b) any similar duty contained in guidance issued by the Scottish Ministers, on which the auditor may make findings in respect of the accounts of that integration authority by virtue of section 22(1)(c) of the Public Finance and Accountability (Scotland) Act 2000(**3**),

as the case may be.

Performance in respect of localities

6.—(1) A performance report must include an assessment of performance in planning and carrying out functions in localities, including—

(a) a description of the arrangements made for the consultation and involvement of groups in decisions about localities to which section 41 of the Act (carrying out of integration functions: localities) applies; and

(b) an assessment of how the arrangements described in sub-paragraph (a) have contributed to provision of services in pursuance of integration functions in accordance with the integration delivery principles in each locality.

(2) A performance report must set out, for of each locality identified in the strategic plan, the proportion of the total amount paid to, or set aside for use by, the integration authority spent during the reporting year in relation to the locality.

(3) A performance report must include, in respect of the information which is included in the report by virtue of paragraph (2), a comparison between the reporting year and the 5 preceding reporting years (or, where there have been fewer than 5 reporting years, all preceding reporting years, if any).

Inspection of services

7.—(1) If during the reporting year a scrutiny body has made recommendations as a result of carrying out an inspection of the planning or delivery of a service provided in pursuance of integration functions in the area of the local authority, the performance report must include —

(a) a list of the recommendations; and

(b) in relation to each recommendation, details of the action taken by the integration authority to implement the recommendation.

(2) In this Regulation, "scrutiny body" means Healthcare Improvement Scotland, Social Care and Social Work Improvement Scotland, Audit Scotland and the Accounts Commission.

Review of strategic plan

8. If during the reporting year the integration authority has carried out a review of the strategic plan, the performance report must include—

(a) a statement of the reasons for carrying out the review;

(b) a statement as to whether, following the review, a revised strategic plan was prepared by the integration authority; and

(c) where a revised strategic plan was prepared, a description of the changes made in revising the strategic plan.

Integration joint monitoring committee recommendations

9. If during the reporting year a report prepared by an integration joint monitoring committee under section 43 of the Act (reports) has included a recommendation as to how integration functions

(**3**) 2000 asp 1.

should be carried out, the performance report must include a list of all such recommendations and the integration authority's response to each recommendation.

Further provision

10. A performance report may include such other information related to assessing performance during the reporting year in planning and carrying out integration functions as the integration authority thinks fit.

St Andrew's House,
Edinburgh
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ALEX NEIL
A member of the Scottish Government