

POLICY NOTE

THE PUBLIC BODIES (JOINT WORKING) (CONTENT OF PERFORMANCE REPORTS) (SCOTLAND) REGULATIONS 2014

SSI 2014/326

1. The above instrument was made in exercise of the powers conferred by sections 42(3) and 69(1) of the Public Bodies (Joint Working) (Scotland) Act 2014(a). The instrument is subject to negative resolution procedure.

Policy Objectives

2. The Public Bodies (Joint Working) (Scotland) Act 2014 (the 2014 Act) gives Scottish Ministers the powers to prescribe in regulations the content of the annual performance report that all integration authorities are required to prepare. The policy objectives of this instrument are:
 - To require that the key elements of the planning and delivery of integrated health and social care services are reported on; and
 - To ensure that there is a measure of national comparability between the reports, while retaining flexibility for each integration authority to reflect their local circumstances.
3. This instrument sets out the key elements of the planning and delivery of integrated health and social care services that integration authorities must report on. The content prescribed by these regulations must be included in each annual performance report, and, where applicable, there will also be a requirement for each annual report to include a comparison between the reporting year and, at least the five preceding reporting years.
4. The areas that the instrument requires integration authorities to include in their performance report are as follows:
 - National Health and Wellbeing Outcomes
The role of the integration authority is to strategically plan and direct the delivery of services in a way that will improve the national health and wellbeing outcomes for the population they serve. It is therefore essential that every integration authority considers and reports on the progress they have made to deliver the outcomes and any key challenges that they need to address, as part of their performance report. The Regulations include a requirement to report on key indicators or measures to provide comparability between integration authorities.
 - Integration delivery principles
The integration delivery principles require that services are planned and delivered in a person centred way and that services should be integrated for

the benefit of service users and not for the convenience of the service provider. The Regulations make provision to require that integration authorities demonstrate within their annual report how the integration delivery principles have been embedded in both the strategic plan and the locality arrangements that have been put in place.

- Finance

It is important that the financial aspects of the planning and delivery of services are drawn into the annual performance report in an accessible manner to allow members of the public to be able to assess financial performance of the integration authority that serves them.

Joint planning of services with the aim of delivering improved outcomes will change how services are planned and delivered. Any shift in the proportion of spend in those services which are delivered in pursuance of delegated functions will be indicative of overall trends in the performance in relation to those services. The regulations require integration authorities to include details of all of the spend on integrated services within their annual performance report so that any shift can be observed.

- Best Value

Each integration authority has a duty in relation to securing best value. If the integration authority is an Integration Joint Board or a local authority, they will be under a statutory duty to do so by virtue of the Local Government in Scotland Act 2003. If the integration authority is a Health Board, they will be required to secure best value as set out in the Scottish Public Finance Manual. The Regulations require each performance report to include an assessment of the integration authority's performance in terms of delivering best value. This will demonstrate an integration authority's performance to continuously improve the way in which it exercises its functions under the 2014 Act.

- Localities

The 2014 Act requires each integration authority to divide their area into two or more localities that match the natural communities that are found within larger local authority areas. The intention is that these smaller areas will facilitate the drawing together of professionals, the third and independent sectors, carers and service users to lead the planning and delivery of services for their local community. The Regulations require that the integration authority set out their performance with respect to empowering their localities to make decisions on the planning and delivery of services to their local community and ensuring the engagement of the groups under section 41 of the 2014 Act in those decision making processes.

- Inspection of services

Integration authorities will be subject to inspection by the scrutiny bodies set out in the instrument. The recommendations and actions resulting from such an inspection will be highly indicative of performance in both the planning

and delivery of services by an integration authority. The Regulations make provision requiring this to be detailed with in the annual performance report.

- *Strategic Planning*

If an integration authority considers that a review of the strategic plan is required. The reasons for such a decision and for any decisions taken in relation to revising the strategic plan will indicate the overall performance in relation to strategic planning. This information will demonstrate how the decisions of the integration authority have impacted its performance over the reporting year. The regulations therefore prescribe that this must be set out within the annual performance report.

- *Integration Joint Monitoring Committee*

The Integration Joint Monitoring Committee's role is to monitor the carrying out of the integration functions for the integration authority area. It is important that, where an Integration Joint Monitoring Committee is established, the recommendations of the Integration Joint Monitoring Committee and the integration authority's response are recorded in the performance report. Reporting on the actions of an integration authority in response to these recommendations will be indicative of overall performance in both the planning and delivery of services.

Consultation

5. A public consultation took place, running from 27 May 2014 to 18 August 2014 and 172 responses were submitted in total. Where we received permission to do so, the responses to the consultation have been published on the Scottish Government website. It includes responses from Health Boards, local authorities, representative bodies, third sector and carers organisations.

Impact Assessments

6. An equality impact assessment has already been completed on the Public Bodies (Joint Working) (Scotland) Bill and a summary published. To view the Equality Impact Assessment click [here](#). No additional issues arise as a result of this instrument.

Financial Effects

7. A Business and Regulatory Impact Assessment was completed on the Public Bodies (Joint Working) (Scotland) Bill and a summary was published. To view the Business and Regulatory Impact Assessment click [here](#). No additional issues arise as a result of this instrument.