

# Policy briefing on the Public Bodies (Joint Working) (Scotland) Bill and its Implications for the Care Sector, the Care Inspectorate and Joint Inspections

**Report to:** Board  
**Date:** 28 June 2013  
**Report by:** Dr Robert Peat, Director of Inspection  
**Report No:** B-13-2013  
**Agenda Item:** 11

## PURPOSE OF REPORT

To note the attached policy briefing on the Public Bodies (Joint Working) (Scotland) Bill and its implications for the care sector, the Care Inspectorate and joint inspections.

## RECOMMENDATIONS

That the Board:

1. Notes the briefing and the Bill, as introduced to Parliament.
2. Agrees that as the Bill progresses updates will be provided to Board Members on the implications for the care sector, the Care Inspectorate and joint inspections.

Version: 3.0	Status: <i>Final</i>	Date: 21/06/2013
--------------	----------------------	------------------

**Version Control and Consultation Recording Form**

Version	Consultation	Manager	Brief Description of Changes	Date
1.0	Senior Management	RP		
	Legal Services			
	Resources Directorate			
	Committee Consultation (where appropriate)			
	Partnership Forum Consultation (where appropriate)			
<b>Equality Impact Assessment</b>				
To be completed when submitting a new or updated policy (guidance, practice or procedure) for approval.				
Policy Title:				
Date of Initial Assessment:				
EIA Carried Out			YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
If yes, please attach the accompanying EIA and briefly outline the equality and diversity implications of this policy.				
If no, you are confirming that this policy will have no negative impact on people with a protected characteristic and a full Equality Impact Assessment is not required.			Name: Robert Peat Position: Director of Inspection	
Authorised by Director	Name: R Peat		Date: 4 June 2013	

## **1.0 BACKGROUND**

Introduced to the Scottish Parliament on 28 May 2013, the Public Bodies (Joint Working) (Scotland) Bill provides the framework which will support improvement of the quality and consistency of health and social care services through the integration of health and social care in Scotland. This framework permits integration of other local authority services with health services.

Scottish Ministers intend to use the framework to integrate adult health and social care services as a minimum, and for statutory partners to decide locally whether to include other functions in their integrated arrangements.

The policy memorandum states that the ambition for integrating health and social care services is to:

- Improve the quality and consistency of services for patients, carers, service users and their families.
- Provide seamless, joined up quality health and social care services in order to care for people in their homes or a homely setting where it is safe to do so.
- Ensure resources are used effectively and efficiently to deliver services that meet the increasing number of people with longer term and often complex needs, many of whom are older.

## **2.0 IMPLICATIONS FOR THE CARE INSPECTORATE AND JOINT INSPECTIONS**

The Bill's policy memorandum states that the Care Inspectorate and Healthcare Improvement Scotland (HIS) are "to have a joint scrutiny role of integration authorities". However, both will retain their current functions in relation to health services and social services respectively.

In particular:

- Under the "delegation to a body corporate model", joint inspections will scrutinise the integration joint board and the services provided under their direction.
- In the "delegation between partners" model, joint inspections will scrutinise the lead agency and the services which it provides on behalf of the delegating partner, as well as the services of the lead agency as part of the integrated arrangements.
- Scrutiny bodies will also be required to scrutinise strategic plans for quality and standards. In particular to ensure the plan will effectively achieve the objectives of the integration plan and the nationally agreed outcomes.

Version: 3.0	Status: <i>Final</i>	Date: 21/06/2013
--------------	----------------------	------------------

### **3.0 RESOURCE IMPLICATIONS**

The Bill's financial memorandum outlines costs to the Care Inspectorate and HIS in assessing the performance of partnerships in meeting the nationally agreed outcomes. This is estimated to be £173,362 per joint inspection, with six inspections expected to take place per year.

The financial memorandum also notes that "additional resources, longer term" will be required to fund the Care Inspectorate and HIS for scrutiny of strategic commissioning. This recurrent cost is estimated to be £670k per annum with costs incurred from 2015/16 onwards.

### **4.0 BENEFITS FOR PEOPLE WHO USE SERVICES AND THEIR CARERS**

By being aware of the Public Bodies (Joint Working) (Scotland) Bill and its implications, the Care Inspectorate can prepare for its partnership role in assessing the performance of integrated partnerships in meeting the nationally agreed outcomes and the eventual scrutiny of strategic commissioning.

Effective preparation and planning for the Bill's implementation will put the Care Inspectorate in a strong position to provide assurance for people who use services, their families and carers, and support partners in improving the quality of care.

### **5.0 CONCLUSION**

The attached policy briefing outlines the implications of Public Bodies (Joint Working) (Scotland) Bill. The Bill provides for the integration of health and social care in Scotland and specifies that the Care Inspectorate and HIS are "to have a joint scrutiny role of integration authorities".

## **LIST OF APPENDICES**

- Appendix 1 -** Policy briefing on the Public Bodies (Joint Working) (Scotland) Bill and its implications for the care sector, the Care Inspectorate and joint inspections

Version: 3.0	Status: <i>Final</i>	Date: 21/06/2013
--------------	----------------------	------------------