

## FALKIRK COUNCIL

### **RESPONSE TO THE HEALTH AND SPORT COMMITTEE CALL FOR WRITTEN EVIDENCE ON THE PUBLIC BODIES (JOINT WORKING) (SCOTLAND ) BILL.**

#### **Background**

Falkirk Council fully supports the aspirations of improving outcomes for people who use Health and Social Care Services in Scotland. People who depend on our services should have seamless care no matter who delivers, manages or pays for that care.

We welcomed the opportunity to comment on the Government's earlier consultation on Health and Social Care Integration and view the current Bill as the most significant piece of legislation to affect Social Work Services and the people who depend on them for decades. As such it is important that the provisions in this Bill are shaped to give confidence that improved outcomes will follow. There is a balance to be struck between detailed prescription and the creation of a general legal framework which facilitates local responses to local circumstances. The Bill undoubtedly strives to achieve that balance, however, we would not always agree with the areas where detailed prescription is applied.

#### **In relation to the specific questions posed by the Committee:**

##### **1. *Do you agree with the general principles of the Bill and its provisions?***

Falkirk Council agrees with the general principles of the Bill and its provisions. However we have some concerns about the powers which Ministers would be granted to intervene in the management of services if they perceive that services are not delivering well enough. This function was not part of the consultation and it is not clear the circumstances in which it would be used. It is also not clear how such powers fit with the role of inspection and regulatory bodies.

It is also of concern that the Bill provides Ministers with the power to extend the scope of integration authorities by regulation (Section 1(6)). This is a very far reaching power which could see the delegation of a much wider range of Local Authority without recourse to further legislation. This provision is not in keeping with the policy intention of the Bill and we would advocate it's removal from the Bill.

**2. To what extent do you believe that the approach being proposed in the Bill will achieve its stated policy objectives?**

Much of the detail of the Bill is being left to regulation and guidance. We will await those parts of the legislation before reaching conclusions on how the provisions can be implemented and before offering a view on the likely impact.

There are parts of the Bill that we still require further clarification, for example what proportion of the acute budget from the NHS will be put into the partnership arrangements. There is also some uncertainty around the details of the governance arrangements as outlined in the Bill.

**3. Please indicate which, if any, aspects of the Bill's policy objectives you would consider as key strengths**

The Bill's policy objective of improving the wellbeing of people who require adult health and social care services is one which we would consider to be a key strength.

**4. Please provide details of any areas in which you feel the Bill's provisions could be strengthened**

- The Bill leaves lots of detail to regulation which we are unable to comment on at this stage.
- The Bill makes no reference to the role of the Chief Social Work Officer in new partnership arrangements and no consideration is given to how, irrespective of structural considerations, the integrity of this role should be ensured. This is particularly important in view of the potential downside of the integration of adult services which could be the fragmentation of Children's services and Criminal Justice Services.
- The Bill does not address how the voice of service users can consistently be heard across health and social care services and how the move towards citizens directing their own support can be promoted not just in respect of social care services but also in respect of health provision.

**5. What are the efficiencies and benefits that you anticipate will arise for your organisation from the delivery of integration plans?**

It is difficult at this point in time to identify what efficiencies will be achievable and the financial memorandum associated with the Bill provides very limited evidence of how these could be achieved. The Council has responded separately to the Finance Committee's call for evidence in this regard.

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**6. *What effect do you anticipate integration plans will have on outcomes for those receiving services?***

Integration plans should have, at their heart, a shared commitment to improved outcomes, however, their success will be dependent on their being a commitment to a well planned and well managed change process. For this reason we would urge the committee to take into account the time that will be required to bring about this change while at the same time maintaining strong operational management of services to some of society's most vulnerable adults.