POLICY NOTE

THE PUBLIC BODIES (JOINT WORKING) (PRESCRIBED DAYS) (SCOTLAND) REGULATIONS 2014

SSI 2014 No. 284

1. The above instrument was made in exercise of the powers conferred by sections 7(1), 7(5), 9(3), 15(2) and 51(2)(c) of the Public Bodies (Joint Working) (Scotland) Act 2014. The instrument is subject to negative resolution procedure.

Policy Objectives

2. The Public Bodies (Joint Working) (Scotland) Act 2014 requires Health Boards and local authorities to prepare an Integration Scheme setting out arrangements for joint working in respect of certain of their statutory functions in relation to health and social care. This instrument sets out the date by which:

   - Each Health Board and local authority must jointly submit the Integration Scheme to the Scottish Ministers for approval. The Regulations require this to be done by 1 April 2015. This will ensure progress is made across the country towards the policy aim of integrating services and improving outcomes.

   - Certain statutory functions of the Health Board, the local authority, or both are to be delegated to the Health Board, the local authority, both, or to the Integration Joint Board, as set out in an approved Integration Scheme. The Regulations require this to be done by 1 April 2016.

   - The Public Bodies (Joint Working) (Scotland) Act 2014 provides flexibility for functions to be delegated earlier than the date prescribed, if agreed locally. In that case, the earlier date must be set out in the strategic plan, which is prepared by the Integration Authority. This provides flexibility for partners to progress their arrangements without being restricted by the prescribed day. The Act also allows Ministers, in exercising their default powers under section 51, to required that functions are to be delegated on an date earlier than the prescribed day of 1 April 2016.

Consultation

3. This instrument does not amend the policy given effect to in the Public Bodies (Joint Working) (Scotland) Act 2014, therefore no public consultation was considered necessary.

Impact Assessments

4. 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

5. 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.

Scottish Government
Directorate for Health and Social Care Integration
Integration and Reshaping Care Division