

# Public Bodies (Joint Working) (Scotland) Bill

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## 1st Groupings of Amendments for Stage 2

This document provides procedural information which will assist in preparing for and following proceedings on the above Bill. The information provided is as follows:

- the list of groupings (that is, the order in which amendments will be debated). Any procedural points relevant to each group are noted;
- the text of amendments to be debated on the first day of Stage 2 consideration, set out in the order in which they will be debated. **THIS LIST DOES NOT REPLACE THE MARSHALLED LIST, WHICH SETS OUT THE AMENDMENTS IN THE ORDER IN WHICH THEY WILL BE DISPOSED OF.**

### Groupings of amendments

#### **“Integration plan” to “integration scheme”**

1, 2, 7, 12, 13, 15, 16, 17, 18, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 52, 53, 55, 59, 60, 64, 65, 67, 68, 70, 72, 73, 77, 82, 86, 109, 111, 121, 122, 148, 149, 150, 151, 152, 153, 154, 155, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 192, 193, 194, 196, 197, 198, 199

#### **Budget for delegated functions**

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#### **Integration plan: arrangements to be incorporated**

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#### **Functions which may, must, or may not be delegated**

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*Notes on amendments in this group*

Amendment 9 pre-empts amendments 140, 141 and 142

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#### **Integration scheme: two or more authorities**

14

#### **Considerations in preparing integration plan: community planning outcomes**

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132, 133, 134

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**THIS IS NOT THE MARSHALLED LIST**

**Amendments in debating order**

**“Integration plan” to “integration scheme”**

**Alex Neil**

- 1 In section 1, page 1, line 11, leave out <plan> and insert <scheme>

**Alex Neil**

- 2 In section 1, page 1, line 13, leave out <plan is a plan> and insert <scheme is a scheme>

**Alex Neil**

- 7 In section 1, page 2, line 6, leave out <plan> and insert <scheme>

**Alex Neil**

- 12 In section 2, page 2, line 29, leave out <plan> and insert <scheme>

**Alex Neil**

- 13 In section 2, page 2, line 32, leave out <plan> and insert <scheme>

**Alex Neil**

- 15 In section 2, page 2, line 33, leave out <plan> and insert <scheme>

**Alex Neil**

- 16 In section 2, page 2, line 35, leave out <plan> and insert <scheme>

**Alex Neil**

- 17 In section 2, page 2, line 37, leave out <plans> and insert <schemes>

**Alex Neil**

- 18 In section 3, page 3, line 3, leave out <plan> and insert <scheme>

**Alex Neil**

- 27 In section 6, page 4, line 10, leave out <plan> and insert <scheme>

**Alex Neil**

- 28 In section 6, page 4, line 11, leave out <plan> and insert <scheme>

**Alex Neil**

- 29 In section 6, page 4, line 16, leave out <plan> and insert <scheme>

**Alex Neil**

- 30 In section 7, page 4, line 20, leave out <plan> and insert <scheme>

**Alex Neil**

- 31 In section 7, page 4, line 22, leave out <plan> and insert <scheme>

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**Alex Neil**

32 In section 7, page 4, line 24, leave out <plan> and insert <scheme>

**Alex Neil**

33 In section 7, page 4, line 26, leave out <plan> and insert <scheme>

**Alex Neil**

34 In section 7, page 4, line 28, leave out <plan> and insert <scheme>

**Alex Neil**

35 In section 7, page 4, line 29, leave out <plan> and insert <scheme>

**Alex Neil**

36 In section 8, page 5, line 2, leave out <plan> and insert <scheme>

**Alex Neil**

37 In section 9, page 5, line 7, leave out <plan> and insert <scheme>

**Alex Neil**

52 In section 13, page 6, line 23, leave out <plan> and insert <scheme>

**Alex Neil**

53 In section 13, page 6, line 25, leave out <plan> and insert <scheme>

**Alex Neil**

55 In section 13, page 6, line 27, leave out <plan> and insert <scheme>

**Alex Neil**

59 In section 13, page 6, line 30, leave out <plan> and insert <scheme>

**Alex Neil**

60 In section 14, page 6, line 34, leave out <plan> and insert <scheme>

**Alex Neil**

64 In section 15, page 7, line 3, leave out <plan> and insert <scheme>

**Alex Neil**

65 In section 15, page 7, line 5, leave out <plan> and insert <scheme>

**Alex Neil**

67 In section 17, page 7, line 18, leave out <plan> and insert <scheme>

**Alex Neil**

68 In section 17, page 7, line 20, leave out <plan> and insert <scheme>

## THIS IS NOT THE MARSHALLED LIST

**Alex Neil**

70 In section 17, page 7, line 22, leave out <plan> and insert <scheme>

**Alex Neil**

72 In section 18, page 7, line 26, leave out <plan> and insert <scheme>

**Alex Neil**

73 In section 18, page 7, line 28, leave out <plan> and insert <scheme>

**Alex Neil**

77 In section 18, page 7, line 30, leave out <plan> and insert <scheme>

**Alex Neil**

82 In section 20, page 8, line 23, leave out <plans> and insert <schemes>

**Alex Neil**

86 In section 21, page 8, line 32, leave out <plan> and insert <scheme>

**Alex Neil**

109 In section 26, page 11, line 23, leave out <plan> and insert <scheme>

**Alex Neil**

111 In section 26, page 11, line 26, leave out <plan> and insert <scheme>

**Alex Neil**

121 In section 27, page 12, line 19, leave out <plan> and insert <scheme>

**Alex Neil**

122 In section 27, page 12, line 22, leave out <plan> and insert <scheme>

**Alex Neil**

148 In section 34, page 14, line 19, leave out <plan> and insert <scheme>

**Alex Neil**

149 In section 34, page 14, line 21, leave out <plan> and insert <scheme>

**Alex Neil**

150 In section 34, page 14, line 22, leave out <plan> and insert <scheme>

**Alex Neil**

151 In section 34, page 14, line 23, leave out <plan> and insert <scheme>

**Alex Neil**

152 In section 34, page 14, line 24, leave out <plan> and insert <scheme>

**THIS IS NOT THE MARSHALLED LIST**

**Alex Neil**

**153** In section 34, page 14, line 26, leave out <plan> and insert <scheme>

**Alex Neil**

**154** In section 34, page 14, line 28, leave out <plan> and insert <scheme>

**Alex Neil**

**155** In section 34, page 14, line 31, leave out <plan> and insert <scheme>

**Alex Neil**

**158** In section 34, page 14, line 35, leave out <plan> and insert <scheme>

**Alex Neil**

**159** In section 34, page 14, line 37, leave out <plan> and insert <scheme>

**Alex Neil**

**160** In section 35, page 15, line 2, leave out <plan> and insert <scheme>

**Alex Neil**

**161** In section 35, page 15, line 5, leave out <plan> and insert <scheme>

**Alex Neil**

**162** In section 35, page 15, line 7, leave out <plan> and insert <scheme>

**Alex Neil**

**163** In section 36, page 15, line 10, leave out <plan> and insert <scheme>

**Alex Neil**

**164** In section 36, page 15, line 12, leave out <plan by a new integration plan> and insert <scheme by a new integration scheme>

**Alex Neil**

**165** In section 36, page 15, line 15, leave out <plan by a new integration plan> and insert <scheme by a new integration scheme>

**Alex Neil**

**166** In section 37, page 15, line 21, leave out <plan> and insert <scheme>

**Alex Neil**

**167** In section 37, page 15, line 23, leave out <plan> and insert <scheme>

**Alex Neil**

**168** In section 37, page 15, line 25, leave out <plan> and insert <scheme>

**Alex Neil**

**169** In section 37, page 15, line 26, leave out <plan> and insert <scheme>

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**Alex Neil**

**170** In section 37, page 15, line 35, leave out <plan> and insert <scheme>

**Alex Neil**

**171** In section 39, page 16, line 10, leave out <plan> and insert <scheme>

**Alex Neil**

**172** In section 40, page 16, line 27, leave out <plan> and insert <scheme>

**Alex Neil**

**173** In section 40, page 16, line 28, leave out <plan> and insert <scheme>

**Alex Neil**

**174** In section 40, page 16, line 33, leave out <plan> and insert <scheme>

**Alex Neil**

**175** In section 40, page 16, line 34, leave out <plan> and insert <scheme>

**Alex Neil**

**176** In section 40, page 16, line 39, leave out <plan> and insert <scheme>

**Alex Neil**

**177** In section 42, page 17, line 13, leave out <plan> and insert <scheme>

**Alex Neil**

**178** In section 42, page 17, line 15, leave out <plan> and insert <scheme>

**Alex Neil**

**179** In section 42, page 17, line 16, leave out <plan> and insert <scheme>

**Alex Neil**

**180** In section 42, page 17, line 19, leave out <plan> and insert <scheme>

**Alex Neil**

**181** In section 42, page 17, line 22, leave out <plan> and insert <scheme>

**Alex Neil**

**182** In section 43, page 17, line 29, leave out <plan> and insert <scheme>

**Alex Neil**

**183** In section 43, page 17, line 31, leave out <plan> and insert <scheme>

**Alex Neil**

**184** In section 43, page 17, line 32, leave out <plan> and insert <scheme>

## THIS IS NOT THE MARSHALLED LIST

**Alex Neil**

**185** In section 43, page 17, line 34, leave out <plan> and insert <scheme>

**Alex Neil**

**186** In section 43, page 17, line 36, leave out <plan> and insert <scheme>

**Alex Neil**

**187** In section 43, page 17, line 38, leave out <plan> and insert <scheme>

**Alex Neil**

**188** In section 43, page 18, line 1, leave out <plan> and insert <scheme>

**Alex Neil**

**189** In section 43, page 18, line 4, leave out <plan> and insert <scheme>

**Alex Neil**

**190** In section 43, page 18, line 7, leave out <plan> and insert <scheme>

**Alex Neil**

**192** In section 45, page 19, line 22, leave out <plan> and insert <scheme>

**Alex Neil**

**193** In section 45, page 19, line 25, leave out <plan> and insert <scheme>

**Alex Neil**

**194** In section 48, page 20, line 23, leave out <plan> and insert <scheme>

**Alex Neil**

**196** In section 48, page 20, line 36, leave out <plan> and insert <scheme>

**Alex Neil**

**197** In section 48, page 20, line 38, leave out <plan> and insert <scheme>

**Alex Neil**

**198** In section 48, page 21, line 1, leave out <plan> and insert <scheme>

**Alex Neil**

**199** In section 48, page 21, line 3, leave out <plan> and insert <scheme>

### **Budget for delegated functions**

**Alex Neil**

**3** In section 1, page 1, line 19, at end insert—



## THIS IS NOT THE MARSHALLED LIST

<(ca) where subsection (5A) applies, a method of determining amounts to be made available by the Health Board in respect of functions that are to be delegated by the Health Board,>

### Alex Neil

- 4 In section 1, page 1, line 20, leave out <a method of calculating> and insert <where subsection (5A) does not apply (or where it applies but the Health Board deems it not to apply), a method of determining>

### Alex Neil

- 8 In section 1, page 2, line 6, at end insert—  
<(5A) This subsection applies where functions that a Health Board proposes to delegate under an integration scheme—  
(a) are carried out in a hospital in the area of the Health Board, and  
(b) are provided for the areas of two or more local authorities.>

### Malcolm Chisholm

- 146 In section 13, page 6, line 26, after <payment> insert <or notional payment>

### Alex Neil

- 54 In section 13, page 6, line 27, leave out from <calculated> to <calculation> and insert <determined in accordance with the method>

### Alex Neil

- 56 In section 13, page 6, line 28, at end insert—  
<(2A) Where an integration scheme contains provision of the type mentioned in section 1(3)(ca), the Health Board must set aside for use by the integration joint board an amount determined in accordance with the method set out in the scheme in relation to each function delegated by it.>

### Alex Neil

- 57 In section 13, page 6, line 29, at beginning insert <Where an integration scheme contains provision of the type mentioned in section 1(3)(d),>

### Alex Neil

- 58 In section 13, page 6, line 30, leave out from <calculated> to <calculation> and insert <determined in accordance with the method>

### Alex Neil

- 69 In section 17, page 7, line 21, leave out from <calculated> to <calculation> in line 22 and insert <determined in accordance with the method>

### Alex Neil

- 71 In section 18, page 7, line 25, leave out <Subsection (2)> and insert <This section>

## THIS IS NOT THE MARSHALLED LIST

### Alex Neil

74 In section 18, page 7, line 28, at end insert—

<(1A) Where an integration scheme contains provision of the type mentioned in section 1(3)(ca), the Health Board must set aside for use by the local authority an amount determined in accordance with the method set out in the scheme in relation to each function delegated to the local authority.>

### Alex Neil

75 In section 18, page 7, line 29, at beginning insert <Where an integration scheme contains provision of the type mentioned in section 1(3)(d),>

### Alex Neil

76 In section 18, page 7, line 29, leave out from <calculated> to <is> in line 30 and insert <determined in accordance with the method>

### Alex Neil

78 In section 18, page 7, line 31, at end insert—

<( ) Each local authority which delegates functions to another local authority (the “lead authority”) under the scheme must make a payment to the lead authority of the amount determined in accordance with the method set out in the scheme in relation to each function delegated by the authority to the lead authority.>

### Alex Neil

79 After section 18, insert—

#### <Health funding: further provision

- (1) This section applies where under section 13(2A) or 18(1A) a Health Board is required to set aside an amount in respect of certain functions delegated to an integration authority.
- (2) The integration authority may by direction require a Health Board—
  - (a) to carry out a function delegated to the integration authority by the Health Board and in relation to which amounts have been set aside, and
  - (b) to use an amount of the set aside amount specified in the direction (the “specified amount”) for that purpose.
- (3) If the integration authority gives a direction under subsection (2) and, despite the direction, the Health Board does not use all of the specified amount, the integration authority may require the Health Board to pay to it the unused amount of the specified amount.
- (4) If the integration authority gives a direction under subsection (2) and, despite the direction, the Health Board requires to use more than the specified amount, the Health Board may require the integration authority to reimburse it for the additional amount used.
- (5) The Health Board must give reports to the integration authority about such matters relating to the amounts set aside as the integration authority may specify.
- (6) Reports under subsection (5) must be given at such times and in relation to such periods as the integration authority may specify.>

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**Alex Neil**

156 In section 34, page 14, line 33, at end insert—

<( ) change the method of determining amounts to be made available as mentioned in section 1(3)(ca),>

**Alex Neil**

157 In section 34, page 14, line 34, leave out <calculating> and insert <determining>

### **Integration plan: arrangements to be incorporated**

**Rhoda Grant**

202 In section 1, page 1, line 22, at end insert—

<(da) arrangements for monitoring the use of resources in respect of delegated functions, including payments made in accordance with paragraph (d),

(db) arrangements for monitoring and improving the quality, safety and standards of services provided in pursuance of functions delegated under paragraph (b) or (c),

(dc) arrangements for the participation in the planning and delivery of services provided in pursuance of functions delegated under paragraph (b) or (c) of—

(i) service-users,

(ii) unpaid carers,

(iii) non-commercial organisations who appear to the local authority and the Health Board to represent the interests of service-users and unpaid carers,

(iv) relevant staff of the local authority,

(v) relevant staff of the Health Board,

(vi) such other persons as the local authority and the Health Board think fit,

(dd) arrangements for the development of a strategy to support and develop the ability of the persons mentioned at paragraph (dc)(i) to (iii) to participate in such planning and delivery of services,>

**Nanette Milne**

203 In section 1, page 1, line 22, at end insert—

<( ) arrangements for a single point of entry to complaints systems for all services provided in pursuance of functions delegated under paragraph (b) or (c),>

### **Functions which may, must, or may not be delegated**

**Alex Neil**

5 In section 1, page 2, line 3, at end insert—

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- <(4A) A local authority may delegate a function under an integration scheme only if the function is conferred by an enactment listed in schedule (*Enactments conferring on local authorities functions which may be delegated*).
- (4B) A Health Board may delegate a function under an integration scheme only if the function is prescribed.
- (4C) The Scottish Ministers may by regulations prescribe which of the functions conferred by enactments listed in schedule (*Enactments conferring on local authorities functions which may be delegated*) local authorities must delegate under an integration scheme so far as the functions are exercisable in relation to persons of at least 18 years of age where the integration model mentioned in subsection (4)(a) or (b) is to apply under the scheme.
- (4D) The Scottish Ministers may by regulations prescribe functions of Health Boards which Health Boards must delegate under an integration scheme so far as the functions are exercisable in relation to persons of at least 18 years of age where the integration model mentioned in subsection (4)(a) or (c) is to apply under the scheme.
- (4E) If the integration model mentioned in subsection (4)(d) is to apply under an integration scheme either—
- (a) the local authority must delegate the functions prescribed under subsection (4C) so far as the functions are exercisable in relation to persons of at least 18 years of age, or
  - (b) the Health Board must delegate the functions prescribed under subsection (4D) so far as the functions are exercisable in relation to persons of at least 18 years of age.
- (4F) The Scottish Ministers may by regulations prescribe functions of Health Boards that a Health Board—
- (a) must delegate under an integration scheme other than in prescribed circumstances,
  - (b) may not delegate under an integration scheme in prescribed circumstances.
- (4G) The Scottish Ministers may by regulations prescribe which of the functions conferred by enactments listed in schedule (*Enactments conferring on local authorities functions which may be delegated*) local authorities may not delegate in prescribed circumstances.
- (4H) The Scottish Ministers may by regulations remove an enactment from schedule (*Enactments conferring on local authorities functions which may be delegated*).>

### Alex Neil

- 6 In section 1, page 2, line 4, leave out from <by> to <(b)> in line 5

### Alex Neil

- 9 In section 1, page 2, line 7, leave out subsection (6)

### Malcolm Chisholm

- 140 In section 1, page 2, line 8, leave out <, may or may not>

### Malcolm Chisholm

- 141 In section 1, page 2, line 10, leave out <, may or may not>

## THIS IS NOT THE MARSHALLED LIST

### Malcolm Chisholm

142 In section 1, page 2, leave out lines 12 to 21

### Alex Neil

10 After section 53, insert—

#### <SCHEDULE

(introduced by section 1(4A))

#### ENACTMENTS CONFERRING ON LOCAL AUTHORITIES FUNCTIONS WHICH MAY BE DELEGATED

Sections 22, 26, 45 and 48 of the National Assistance Act 1948.

Section 3 of the Disabled Persons (Employment) Act 1958.

Section 11 of the Matrimonial Proceedings (Children) Act 1958.

Sections 1, 4, 5, 6B, 8, 10, 12, 12A, 12AZA, 12AA, 12AB, 13 to 14, 27, 27ZA, 28, 29, 59, 78A, 80, 81, 83, 86 and 87 of the Social Work (Scotland) Act 1968.

Sections 34, 39, 40 and 50 of the Children Act 1975.

Section 24 of the Local Government and Planning (Scotland) Act 1982.

Sections 21, 22 and 23 of the Health and Social Services and Social Security Adjudications Act 1983.

Sections 3, 5, 6, 8, 9 and 10 of the Foster Children (Scotland) Act 1984.

Sections 2, 3, 7 and 8 of the Disabled Persons (Services, Consultation and Representation) Act 1986.

Sections 4, 5 and 5A and Part II of the Housing (Scotland) Act 1987.

Sections 17, 19 to 27, 29 to 32, 36 and 38 of the Children (Scotland) Act 1995.

Sections 51, 203, 234B and 245A of the Criminal Procedure (Scotland) Act 1995.

Sections 10, 12, 37 and 39 to 45 of the Adults with Incapacity (Scotland) Act 2000.

Sections 1, 2, 5, 6, 8 and 92 of the Housing (Scotland) Act 2001.

Sections 5, 6 and 14 of the Community Care and Health (Scotland) Act 2002.

Sections 17, 25 to 27, 33, 34, 228 and 259 of the Mental Health (Care and Treatment) (Scotland) Act 2003.

Sections 10 and 11 of the Management of Offenders etc. (Scotland) Act 2005.

Section 71 of the Housing (Scotland) Act 2006.

Sections 1, 4, 5, 6, 9, 10, 11, 12, 19, 26, 45, 47, 48, 49, 51, 80, 90, 99 and 105 of the Adoption and Children (Scotland) Act 2007.

Sections 4 to 11, 14, 16, 18, 22, 40, 42 and 43 of the Adult Support and Protection (Scotland) Act 2007.

Sections 35, 37, 42, 44, 48, 49, 60, 131, 145, 166 and 167 of the Children's Hearings (Scotland) Act 2011.

Sections 3, 5 to 13, 16 and 19 of the Social Care (Self-directed Support) (Scotland) Act 2013.>

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**Alex Neil**

- 200 In section 49, page 21, line 11, leave out <section> and insert <sections 1(4H) and>

### **Minor and technical**

**Alex Neil**

- 11 In section 2, page 2, line 27, leave out <as respects each local authority area>

**Alex Neil**

- 39 In section 10, page 5, line 23, leave out <the constituent authorities> and insert <each constituent authority>

**Alex Neil**

- 40 In section 10, page 5, line 27, leave out subsection (8)

**Alex Neil**

- 44 In section 12, page 6, line 12, leave out <local authority or Health Board> and insert <constituent authority>

**Alex Neil**

- 49 In section 12, page 6, line 19, leave out <a local authority or a Health Board> and insert <their constituent authorities>

**Alex Neil**

- 83 In section 20, page 8, line 25, leave out from <buildings> to end of line 26 and insert <their resources (including in particular buildings, staff and equipment) in pursuance of the scheme or schemes.>

**Alex Neil**

- 120 In section 27, page 12, line 15, leave out from second <the> to end of line 17 and insert <each constituent authority,>

**Alex Neil**

- 191 After section 43, insert—

#### **<Meaning of “constituent authority”**

For the purposes of this Part, each local authority and the Health Board which prepared the integration scheme in pursuance of which an integration joint board was, or is to be, established is a “constituent authority” in relation to that board.>

**Alex Neil**

- 195 In section 48, page 20, line 35, leave out <and 37(1)> and insert <, 37(1) and (*Meaning of “constituent authority”*)>

## THIS IS NOT THE MARSHALLED LIST

### Integration scheme: two or more authorities

**Alex Neil**

**14** In section 2, page 2, line 32, at end insert—

- <( ) For the purposes of subsection (4), if the local authorities and the Health Board decide that the integration model mentioned in paragraph (c) or (d) of section 1(4) is to apply—
- (a) functions are to be delegated under those models to only one of the local authorities,
  - (b) the authorities and the Health Board must set out in the integration scheme which local authority the functions are to be delegated to (the “lead authority”),
  - (c) paragraph (c) of section 1(4) applies as if for the words “to the local authority” there were substituted the words “and the local authority or authorities to the lead authority”, and
  - (d) paragraph (d) of section 1(4) applies as if for the words from “to”, where it first occurs, to “local” there were substituted “or authorities to the Health Board and delegation of functions by the Health Board and the local authority or authorities to the lead”.>

### Considerations in preparing integration plan: community planning outcomes

**Rhoda Grant**

**204** In section 3, page 3, line 6, at end insert—

<( ) outcomes agreed for the area of the local authority through community planning.

- ( ) In this section “community planning” means planning to which the provisions of section 15(1) of the Local Government in Scotland Act 2003 (community planning) apply.>

### Principles

**Alex Neil**

**19** In section 4, page 3, line 9, leave out from <must> to end of line 11 and insert <are provided in pursuance of functions which are delegated under an integration scheme is to improve the wellbeing of service-users>

**Malcolm Chisholm**

**19A** As an amendment to amendment 19, line 3, after <wellbeing> insert <and independent living>

**Alex Neil**

**20** In section 4, page 3, line 13, leave out <the> and insert <a>

**Alex Neil**

**21** In section 4, page 3, line 14, leave out <recipients> and insert <service-users>

## THIS IS NOT THE MARSHALLED LIST

### Malcolm Chisholm

- 205 In section 4, page 3, line 15, after <the> insert <rights and>

### Nanette Milne

- 206 In section 4, page 3, line 15, after <needs> insert <, aspirations, abilities, characteristics and circumstances>

### Alex Neil

- 22 In section 4, page 3, line 15, leave out <recipients> and insert <service-users>

### Malcolm Chisholm

- 207 In section 4, page 3, line 16, after first <the> insert <rights and>

### Alex Neil

- 23 In section 4, page 3, line 16, leave out <recipients> and insert <service-users>

### Alex Neil

- 24 In section 4, page 3, line 17, at end insert—
- <( ) takes account of the dignity of service-users,
  - ( ) takes account of the participation by service-users in the community in which service-users live,>

### Aileen McLeod

- 143 In section 4, page 3, line 17, at end insert—
- <( ) protects and improves the safety of service-users,
  - ( ) improves the quality of the service,>

### Malcolm Chisholm

- 208 In section 4, page 3, line 17, at end insert—
- <( ) is based on recognised guidance and adherence to established quality standards and promotes continuous improvement in the standard and quality of care,>

### Malcolm Chisholm

#### Supported by: Nanette Milne

- 209 In section 4, page 3, line 17, at end insert—
- <( ) enables service-users to exercise choice and control and to participate in decisions regarding their need for services and the provision of those services to them,>

### Alex Neil

- 25 In section 4, page 3, line 19, leave out <and local professionals> and insert <(including in particular service-users, those who look after service-users and those who are involved in the provision of health or social care)>



**THIS IS NOT THE MARSHALLED LIST**

**Alex Neil**

- 26 In section 4, page 3, line 22, leave out <“recipients”> and insert <“service-users”>

**Alex Neil**

- 97 In section 25, page 11, line 1, leave out from <must> to end of line 3 and insert <are provided in pursuance of functions which are delegated under an integration scheme is to improve the wellbeing of service-users,>

**Malcolm Chisholm**

- 97A As an amendment to amendment 97, line 3, after <wellbeing> insert <and independent living>

**Rhoda Grant**

- 223 In section 25, page 11, line 5, after <provided> insert <or commissioned>

**Alex Neil**

- 98 In section 25, page 11, line 5, leave out <the> and insert <a>

**Alex Neil**

- 99 In section 25, page 11, line 6, leave out <recipients> and insert <service-users>

**Malcolm Chisholm**

- 224 In section 25, page 11, line 7, after <the> insert <rights and>

**Nanette Milne**

- 225 In section 25, page 11, line 7, after <needs> insert <, aspirations, abilities, characteristics and circumstances>

**Alex Neil**

- 100 In section 25, page 11, line 7, leave out <recipients> and insert <service-users>

**Malcolm Chisholm**

- 226 In section 25, page 11, line 8, after first <the> insert <rights and>

**Alex Neil**

- 101 In section 25, page 11, line 8, leave out <recipients> and insert <service-users>

**Alex Neil**

- 102 In section 25, page 11, line 9, at end insert—

- <( ) takes account of the dignity of service-users,
- ( ) takes account of the participation by service-users in the community in which service-users live,
- ( ) protects and improves the safety of service-users,
- ( ) improves the quality of the service,>

## THIS IS NOT THE MARSHALLED LIST

### **Rhoda Grant**

227 In section 25, page 11, line 9, at end insert—

<( ) takes account of the particular needs of service-users moving into the area of the local authority from the area of another local authority,>

### **Rhoda Grant**

228 In section 25, page 11, line 9, at end insert—

<( ) improves the quality of the service to service-users in the community, particularly in relation to the amount of time afforded to those service-users,>

### **Malcolm Chisholm**

229 In section 25, page 11, line 9, at end insert—

<( ) is based on recognised guidance and adherence to established quality standards and promotes continuous improvement in the standard and quality of care,>

### **Malcolm Chisholm**

**Supported by: Nanette Milne**

230 In section 25, page 11, line 9, at end insert—

<( ) enables service-users to exercise choice and control and to participate in decisions regarding their need for services and the provision of those services to them,>

### **Alex Neil**

103 In section 25, page 11, line 11, leave out <and local professionals> and insert <(including in particular service-users, those who look after service-users and those who are involved in the provision of health or social care)>

### **Rhoda Grant**

231 In section 25, page 11, line 12, at end insert—

<( ) supports and rewards people who deliver those services in the provision of high quality care to recipients, and>

### **Alex Neil**

104 In section 25, page 11, line 14, leave out <“recipients”> and insert <“service-users”>

## **Consultation and involvement of persons working as members of a “relevant profession”**

### **Bob Doris**

210 In section 5, page 3, line 35, at end insert—

<( ) persons working as a member of a relevant profession,>

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**Bob Doris**

213 In section 6, page 4, line 14, at end insert—

<( ) persons working as a member of a relevant profession, and>

**Bob Doris**

215 In section 12, page 6, line 15, at end insert—

<( ) An order making provision under subsection (1)(a) must include provision for the membership of integration joint boards to include—

(a) at least one person working as a member of a relevant profession,

(b) such other persons as the Scottish Ministers think fit.>

**Bob Doris**

220 In section 16, page 7, line 13, at end insert—

<( ) An order making provision under subsection (1)(b) must include provision for the membership of integration joint monitoring committees to include—

(a) at least one person working as a member of a relevant profession,

(b) such other persons as the Scottish Ministers think fit.>

**Bob Doris**

232 In section 26, page 11, line 32, after <are> insert—

<( ) persons working as a member of a relevant profession,

( )>

**Bob Doris**

235 In section 27, page 12, line 26, after <are> insert—

<( ) persons working as a member of a relevant profession,

( )>

**Bob Doris**

238 In section 48, page 20, line 24, at end insert—

<“relevant profession” has the same meaning as in the Health Professions Order 2001,>

**National health and wellbeing outcomes: consultation**

**Rhoda Grant**

**Supported by: Nanette Milne**

211 In section 5, page 4, line 7, at end insert—

<( ) other organisations contributing to the health and wellbeing of service-users.>

## THIS IS NOT THE MARSHALLED LIST

### Integration plan: consultation

**Rhoda Grant**

**Supported by: Nanette Milne**

- 212 In section 6, page 4, line 12, leave out <consult> to <such> in line 13 and insert <secure the involvement in the planning process of—
- (za) service-users,
  - (zb) unpaid carers,
  - (zc) non-commercial organisations who appear to the local authority and the Health Board to represent the interests of service-users and unpaid carers,
  - (a) such other>

### Integration plan: modified scheme

**Alex Neil**

- 144 In section 7, page 4, line 28, after <plan> insert <they must—
- (a) give the local authority and the Health Board reasons for the refusal (including identifying which particular parts of the scheme caused them to decide to refuse approval),
  - (b) explain how the scheme should be modified, and
  - (c) specify a day by which>

**Alex Neil**

- 145 In section 7, page 4, line 29, leave out <under subsection (1)> and insert—
- <( ) Following submission of a modified scheme under subsection (4), the Scottish Ministers may—
    - (a) approve the modified scheme, or
    - (b) refuse to approve it.
  - ( ) Where the Scottish Ministers refuse to approve a modified scheme, the local authority and the Health Board are to be treated as if they failed before the prescribed day to submit an integration scheme under this section; and section 39 applies accordingly.>

### Timing of delegation of functions

**Alex Neil**

- 38 In section 9, page 5, line 10, leave out <The functions are to be delegated before> and insert <If the functions are not delegated on the day specified by virtue of section 23(3A), they are delegated on>

**Alex Neil**

- 61 In section 14, page 6, line 34, at end insert—

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<(1A) If the functions are not delegated on the day specified by virtue of section 23(3A), they are delegated on the prescribed day.>

**Alex Neil**

62 In section 14, page 6, line 35, leave out <prescribed day> and insert <functions are delegated,>

**Alex Neil**

63 In section 14, page 6, leave out line 39

### **Integration joint boards: operation**

**Alex Neil**

41 In section 11, page 6, line 3, after <may> insert—

<( ) make provision in relation to only one integration joint board, or some integration joint boards,

( )>

**Alex Neil**

42 In section 11, page 6, line 4, at end insert—

<( ) Before making an order under this section, the Scottish Ministers must consult—

(a) if the order relates to integration joint boards generally, each—

(i) local authority,

(ii) Health Board, and

(iii) integration joint board then established,

(b) if the order relates to one integration joint board, or some integration joint boards—

(i) the constituent authorities in relation to that or those boards, and

(ii) that or those boards, to the extent then established.>

**Alex Neil**

43 In section 12, page 6, line 11, leave out <their functions> and insert <functions conferred on them by or by virtue of this Act>

**Alex Neil**

45 In section 12, page 6, line 13, at end insert—

<( ) enabling integration joint boards to establish committees for any purpose,

( ) about such other matters relating to any such committee as the Scottish Ministers think fit,

( ) enabling an integration joint board to delegate to its chief officer, any other member of its staff or any such committee functions delegated to the integration joint board in pursuance of an integration scheme,>

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### Rhoda Grant

214 In section 12, page 6, line 15, at end insert—

- <( ) An order making provision under subsection (1)(a) must include provision for the membership of integration joint boards to include representatives of—
- (a) service-users,
  - (b) unpaid carers, and
  - (c) non-commercial organisations who appear to the local authority and the Health Board to represent the interests of service-users and unpaid carers.>

### Alex Neil

46 In section 12, page 6, line 16, leave out <this section> and insert <subsection (1) (other than an order containing provision of the type mentioned in paragraph (a) or (b) of that subsection)>

### Alex Neil

47 In section 12, page 6, line 16, after <may> insert—

- <( ) make provision in relation to only one integration joint board, or some integration joint boards,
- ( )>

### Alex Neil

48 In section 12, page 6, line 17, at end insert—

- <( ) Before making an order under this section, the Scottish Ministers must consult—
- (a) if the order relates to integration joint boards generally, each—
    - (i) local authority,
    - (ii) Health Board, and
    - (iii) integration joint board then established,
  - (b) if the order relates to one integration joint board, or some integration joint boards—
    - (i) the constituent authorities in relation to that or those boards, and
    - (ii) that or those boards, to the extent then established.>

### Alex Neil

51 After section 12, insert—

#### <Integration joint boards: finance and audit

- (1) The chief officer of an integration joint board has responsibility for the administration of the financial affairs of the integration joint board.
- (2) In section 106 of the Local Government (Scotland) Act 1973 (application of Part 7 of Act to bodies other than local authorities etc.)—
  - (a) in subsection (1), after paragraph (ba) insert—

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“(bb) an integration joint board established by order under section 9 of the Public Bodies (Joint Working) (Scotland) Act 2014 (but subject to subsection (1A)),” and

(b) after that subsection, insert—

“(1A) Despite subsection (1), sections 95, 101A and 105A of this Act do not apply with respect to an integration joint board.”.>

### **Rhoda Grant**

217 After section 12, insert—

#### **<Integration joint boards: complaints procedure**

- (1) The Scottish Ministers must establish a procedure by which a person, or someone acting on a person’s behalf, may make complaints (or other representations) in relation to services a person has received in pursuance of functions delegated to an integration joint board.
- (2) Before establishing a procedure under subsection (1), the Scottish Ministers must consult—
  - (a) such persons or groups of persons appearing to them to have an interest as may be prescribed, and
  - (b) such other persons as they think fit.
- (3) The Scottish Ministers must keep the procedure under review and must vary it whenever, after such consultation, they consider it appropriate to do so.
- (4) The Scottish Ministers must give such publicity to the procedure (including the procedure as varied under subsection (3)) as they consider appropriate and must give a copy of the procedure to any person who requests it.
- (5) In schedule 2 to the Scottish Public Services Ombudsman Act 2002, after paragraph 17A (relating to Prisons) insert—

“Integration joint boards

17B An integration joint board established by order under section 9 of the Public Bodies (Joint Working) (Scotland) Act 2014.”.>

### **Transfer of staff etc.**

#### **Alex Neil**

50 In section 12, page 6, line 20, at end insert—

- <( ) Before making a scheme under subsection (3), the Scottish Ministers must consult—
- (a) the integration joint board to which the scheme relates, and
  - (b) the constituent authorities in relation to that board.>

#### **Rhoda Grant**

216 In section 12, page 6, line 20, at end insert—

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<(4) Before making a scheme under subsection (3) in relation to staff, the Scottish Ministers must consult in respect of each group mentioned in subsection (5), such persons appearing to be representative of the group as the Scottish Ministers think fit.

(5) The groups mentioned in subsection (4) are—

- (a) health professionals,
- (b) social care professionals,
- (c) such other groups of persons appearing to the Scottish Ministers to have an interest as may be prescribed.>

**Rhoda Grant**

**218** In section 15, page 7, line 4, at end insert—

<(1A) Before making a scheme under subsection (1) in relation to staff, the Scottish Ministers must consult in respect of each group mentioned in subsection (1B), such persons appearing to be representative of the group as the Scottish Ministers think fit.

(1B) The groups mentioned in subsection (1A) are—

- (a) health professionals,
- (b) social care professionals,
- (c) such other groups of persons appearing to the Scottish Ministers to have an interest as may be prescribed.>

**Alex Neil**

**66** In section 15, page 7, line 6, at end insert—

<( ) Before making a scheme under subsection (1), the Scottish Ministers must consult—

- (a) the person who is to delegate functions under an integration scheme falling within subsection (2), and
- (b) the person to whom the functions are to be delegated.>

**Alex Neil**

**80** In section 19, page 7, line 33, leave out <or 15(1)> and insert <, 15(1) or 36(3)>

**Alex Neil**

**81** In section 19, page 8, line 13, at end insert—

<( ) Nothing in subsection (3)—

- (a) imposes on the new employer any liability for a share in any deficit in a pension scheme of the original employer that—
  - (i) is attributable to the person's membership of the scheme, and
  - (ii) accrued before the day of the transfer, or
- (b) confers any right on the new employer in respect of a share in any surplus in such a pension scheme that is so attributable and that so accrued.>



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### **Integration joint monitoring committees: membership**

**Rhoda Grant**

**219** In section 16, page 7, line 13, at end insert—

- <( ) An order making provision under subsection (1)(a) must include provision for the membership of integration joint monitoring committees to include representatives of—
- (a) service-users,
  - (b) unpaid carers, and
  - (c) non-commercial organisations who appear to the local authority and the Health Board to represent the interests of service-users and unpaid carers.>

### **Carrying out of functions**

**Alex Neil**

**84** After section 20, insert—

#### **<Carrying out of functions conferred on officers of local authorities**

- (1) This section applies where a function conferred by an enactment on an officer of a local authority relates to a function delegated to an integration authority under an integration scheme.
- (2) Where the integration authority is an integration joint board, the function is deemed to have been conferred also on an officer of the Health Board and any other local authorities that are the constituent authorities of the integration joint board.
- (3) Where the integration authority is a local authority or Health Board, the function is deemed to have been conferred also on an officer of the Health Board and any other local authority which prepared the integration scheme.>

**Alex Neil**

**85** After section 20, insert—

#### **<Carrying out of functions conferred on officers of Health Boards**

- (1) This section applies where a function conferred by an enactment on an officer of a Health Board relates to a function delegated to an integration authority under an integration scheme.
- (2) Where the integration authority is an integration joint board, the function is deemed to have been conferred also on an officer of the local authority or authorities that are the constituent authorities of the integration joint board.
- (3) Where the integration authority is a local authority or Health Board, the function is deemed to have been conferred also on an officer of the local authority or authorities which prepared the integration scheme.>

**Alex Neil**

**87** In section 21, page 8, line 33, leave out subsections (2) to (5) and insert—

- <(2) The integration authority to which the function is delegated is to carry out the function.

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- (3) The integration authority has all of the powers and duties from time to time applying in connection with the carrying out of the function.
- (4) Despite subsection (2), the delegation of the function in pursuance of an integration scheme does not prevent the carrying out of the function by the person by whom the delegation is made.
- (5) The Scottish Ministers may by order provide that an integration authority which is an integration joint board must or must not exercise a power of the type mentioned in subsection (3) in connection with the carrying out of a function specified in the order.>

### Alex Neil

88 Leave out section 22 and insert—

#### <Directions by integration authority

- (1) Where the integration authority is an integration joint board, it must give a direction to a constituent authority to carry out on its behalf each function delegated to the integration authority.
- (2) Where the integration authority is a local authority or a Health Board, it may give a direction to the Health Board or local authority which prepared the integration scheme by virtue of which it is the integration authority to carry out on its behalf any function delegated to the integration authority.
- (3) A person to whom a direction under this section may be given must provide the integration authority with such information as the integration authority may reasonably require for the purpose of its deciding—
  - (a) whether to give the direction,
  - (b) the content of the direction.
- (4) A direction under this section may be given to more than one person in relation to the same function.
- (5) If a direction such as is mentioned in subsection (4) is given, the direction may—
  - (a) require the persons to carry out the function jointly or only in so far as is specified in the direction,
  - (b) require each person to carry out the function in relation to an area specified in the direction,
  - (c) require each person to do particular things in relation to the function.>

### Alex Neil

89 After section 22, insert—

#### <Section (*Directions by integration authority*): supplementary

- (1) A direction under section (*Directions by integration authority*)—
  - (a) must set out, or set out a method of determining, payments that are to be made by the integration authority to the person who is to carry out the function on its behalf,
  - (b) may—
    - (i) regulate the manner in which the function is to be carried out,

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- (ii) make such supplementary, incidental or consequential provision as the integration authority considers appropriate.
- (2) The provision referred to in subsection (1)(b)(ii) may include in particular the imposition on the person who is to carry out the function of requirements—
  - (a) to provide information to the integration authority,
  - (b) to take action to enable the integration authority to comply with any order of a court made against it in connection with the carrying out of the function,
  - (b) to reimburse the integration authority in relation to any liabilities incurred by the integration authority in connection with the carrying out of the function.
- (3) The integration authority must make payments in accordance with the provision included in the direction by virtue of subsection (1)(a).
- (4) A person to whom a direction under section (*Directions by integration authority*) is given must comply with the direction.
- (5) A direction under section (*Directions by integration authority*)—
  - (a) may vary or revoke an earlier direction under that section given by the same integration authority,
  - (b) must be in writing.
- (6) If the conditions in subsection (7) are met, the Scottish Ministers may by order provide that an integration authority which is an integration joint board—
  - (a) may decide not to give a direction under section (*Directions by integration authority*) in relation to the carrying out of a function specified in the order, or
  - (b) may give a direction under that section, despite the making of the order.
- (7) The conditions are—
  - (a) that the Scottish Ministers receive a written application from the constituent authorities requesting that an order be made in relation to the functions specified in the application, and
  - (b) that the Scottish Ministers consider that the making of an order in relation to some or all of those functions would improve compliance with the national health and wellbeing outcomes.
- (8) If the Scottish Ministers do not consider under subsection (7)(b) that the making of an order under subsection (6) would improve compliance with the national health and wellbeing outcomes in relation to any functions, they need not include those functions in the order.>

### **Strategic plan: process**

#### **Malcolm Chisholm**

147 In section 23, page 10, line 22, at end insert <in accordance with regulations under subsection (3ZA).

(3ZA)The Scottish Ministers must by regulations set out the key principles of locality planning for the purposes of subsection (3).>

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**Alex Neil**

**90** In section 23, page 10, line 22, at end insert—

<(3A) If the functions of the integration authority are not to be delegated to the authority on the day prescribed under section 9(3) or, as the case may be, section 14(1A), the first strategic plan must specify the day on which functions are to be delegated to the authority.>

**Alex Neil**

**91** In section 23, page 10, line 24, leave out <prescribed> and insert <integration start>

**Alex Neil**

**92** In section 23, page 10, line 24, leave out from <and> to end of line 25

**Alex Neil**

**93** In section 23, page 10, line 26, leave out subsection (5)

**Alex Neil**

**94** In section 23, page 10, line 30, at end insert—

<( ) In this section, “integration start day” means—

- (a) in relation to an integration authority which is an integration joint board, the day on which functions are delegated to the authority by virtue of subsection (3A) or, as the case may be, section 9(3),
- (b) in relation to any other integration authority, the day on which functions are delegated by virtue of subsection (3A) or, as the case may be, section 14(2) to, or to the constituent authorities of, the integration authority.>

**Alex Neil**

**116** In section 27, page 11, line 38, leave out from beginning to <local> in line 39 and insert <This section applies where an integration authority in relation to the area of a local authority is preparing a strategic plan.

(1A) The integration>

**Alex Neil**

**118** In section 27, page 12, line 2, leave out <(1)(b)> and insert <(1A)(b)>

**Alex Neil**

**123** After section 27, insert—

**<Provision of information for purpose of preparing strategic plan**

- (1) A constituent authority must provide an integration authority which is an integration joint board with such information as the authority may reasonably require for the purpose of preparing a strategic plan.
- (2) The person mentioned in subsection (3) must provide an integration authority which is a Health Board or a local authority with such information as the integration authority may reasonably require for the purpose of preparing a strategic plan.

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- (3) That person is the local authority or the Health Board with which the integration authority prepared the integration scheme in pursuance of which the integration authority acquired its delegated functions.>

### Nanette Milne

236 In section 28, page 12, line 41, at end insert—

<( ) groups appearing to the integration authority to be representative of non-commercial organisations contributing to the health and wellbeing of service-users in the area covered by the strategic plan.>

### Alex Neil

124 Leave out section 28

### Alex Neil

125 In section 29, page 13, line 4, leave out <occurrence of the event mentioned in subsection (2)> and insert <finalisation of the plan under section 27>

### Alex Neil

126 In section 29, page 13, line 6, leave out subsection (2)

### Alex Neil

131 After section 30, insert—

#### <Strategic plan: annual financial statement

- (1) Each integration authority must publish an annual financial statement—
- (a) when it publishes its first strategic plan, and
  - (b) each year after that.
- (2) An annual financial statement must set out in relation to the strategic plan to which it relates the amount that the integration authority intends to spend in implementation of the plan.>

### Malcolm Chisholm

201 In section 49, page 21, line 11, after <5(1)> insert <and 23(3ZA)>

### Strategic plan: preparation considerations

### Alex Neil

95 In section 24, page 10, line 32, leave out from beginning to <local> and insert <This section applies where an integration authority in relation to the area of a local authority is preparing a strategic plan.

( ) The integration>

### Rhoda Grant

221 In section 24, page 10, line 35, at end insert—

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<( ) outcomes agreed for the area of the local authority through community planning.

- ( ) In this section “community planning” means planning to which the provisions of section 15(1) of the Local Government in Scotland Act 2003 (community planning) apply.>

### Alex Neil

96 In section 24, page 10, line 35, at end insert—

- <(3) The integration authority must have regard to the effect which any arrangements which it is considering setting out in the strategic plan in pursuance of section 23(2)(a) may have on services, facilities or resources—
- (a) utilised by arrangements set out in pursuance of that section in a strategic plan prepared by another integration authority,
  - (b) which would be utilised by arrangements which another integration authority is considering setting out in pursuance of that section in a strategic plan which it is preparing.
- (4) The references in subsections (3)(a) and (b) to a strategic plan are to a strategic plan relating to the same period as, or relating to part of the same period as, the strategic plan which is being prepared by the integration authority.>

### Malcolm Chisholm

222 After section 24, insert—

#### <24A Duty to seek, record and have due regard to advice

- (1) In preparing a strategic plan, an integration authority for the area of a local authority must, where appropriate, seek, record and have due regard to the professional advice of the persons specified in subsection (3) in respect of issues relating to quality and safety.
- (2) An integration authority for the area of a local authority must set out arrangements for how it will, where appropriate, seek, record and have due regard to the professional advice of the persons specified in subsection (3) in respect of issues relating to quality and safety in the carrying out of the integration functions for the area of the local authority.
- (3) The persons are—
  - (a) the chief social work officer of the local authority,
  - (b) a registered medical practitioner nominated by the relevant Health Board,
  - (c) a registered nurse nominated by the relevant Health Board,
  - (d) a registered allied health professional nominated by the relevant Health Board,
  - (e) any other person prescribed by regulations made by the Scottish Ministers.>

### Malcolm Chisholm

239 In section 49, page 21, line 11, after <5(1)> insert <and 24A(3)(e)>

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**Strategic planning group**

**Alex Neil**

- 105** In section 26, page 11, line 17, leave out <For the purpose of preparing a> and insert <Before preparing its first>

**Alex Neil**

- 106** In section 26, page 11, line 18, after <group> insert <(its “strategic planning group”)>

**Alex Neil**

- 107** In section 26, page 11, line 19, leave out from <one> to end of line 21 and insert—
- <(i) at least one person nominated by the Health Board which is a constituent authority in relation to the integration joint board,
  - (ii) where one local authority is a constituent authority in relation to the integration joint board, at least one person nominated by it,
  - (iii) where two or more local authorities are constituent authorities in relation to the integration joint board, at least one person nominated by the authorities,>

**Alex Neil**

- 108** In section 26, page 11, line 22, leave out <one person nominated by the local authority> and insert <at least one person nominated by the local authority or authorities>

**Alex Neil**

- 110** In section 26, page 11, line 25, after <authority,> insert <at least>

**Rhoda Grant**

- 233** In section 26, page 11, line 33, at end insert <and must include—
- (a) service-users,
  - (b) unpaid carers, and
  - (c) non-commercial organisations who represent the interests of service-users and unpaid carers.>

**Alex Neil**

- 112** In section 26, page 11, line 33, at end insert—
- <(2A) The integration authority is to determine—
    - (a) the number of members of its strategic planning group,
    - (b) so far as not set out in this section, the processes for appointment, removal and replacement of members.
  - (2B) The integration authority may—
    - (a) appoint members of its strategic planning group from persons nominated under subsection (1),
    - (b) in such circumstances as the authority considers appropriate, remove persons appointed under paragraph (a) from membership of the group,

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- (c) appoint members in place of members who resign or are removed from membership of the group.
- (2C) A constituent authority may—
  - (a) remove from its strategic planning group a member appointed to represent it,
  - (b) nominate under subsection (1) another person in place of a member of the group appointed to represent it.
- (2D) A member of a strategic planning group may resign at any time.
- (2E) During the period to which any strategic plan of an integration authority relates, its strategic planning group is also to comprise a person to represent the interests of each locality set out in the plan in pursuance of section 23(3)(a).
- (2F) It is for the integration authority to—
  - (a) decide which persons are suitable to represent the interests of a locality, and
  - (b) select the representative.
- (2G) An integration authority may under subsection (2F)(b) select a single person in respect of two or more localities.
- (2H) The validity of anything done by an integration authority's strategic planning group is not affected by any vacancy in its membership.>

**Alex Neil**

- 113** In section 26, page 11, line 34, leave out second <the> and insert <an integration authority's strategic planning>

**Alex Neil**

- 114** In section 26, page 11, line 35, leave out first <The> and insert <An>

**Alex Neil**

- 115** In section 26, page 11, line 35, leave out second <the> and insert <its strategic planning>

**Rhoda Grant**

- 234** In section 26, page 11, line 36, at end insert—
- <(5) The integration authority must make such arrangements as it considers necessary to secure the effective involvement of persons representing the groups mentioned in subsection (2)(a), (b) and (c).
  - (6) Arrangements under subsection (5) may, in particular, include arrangements for—
    - (a) paying such expenses as appear to the authority to be necessary, including the cost of replacement care,
    - (b) providing information in a timely fashion and in a format that is accessible to members of the group,
    - (c) ensuring the accessibility of venues for any meetings of the group,
    - (d) ensuring access to appropriate training for members of the group.>

**Alex Neil**

- 117** In section 27, page 12, line 1, leave out second <the> and insert <its strategic planning>



**THIS IS NOT THE MARSHALLED LIST**

**Alex Neil**

- 119 In section 27, page 12, line 5, leave out second <the> and insert <its strategic planning>

**Strategic plan: review and replacement**

**Alex Neil**

- 127 In section 30, page 13, line 19, leave out <in its next strategic plan> and insert <by virtue of revising its strategic plan under section (*Review of strategic plan*)>

**Alex Neil**

- 128 In section 30, page 13, line 23, after <must> insert—  
<( ) seek and have regard to the views of its strategic planning group, and>

**Rhoda Grant**

- 237 In section 30, page 13, line 25, at end insert—  
<( ) non-commercial providers of health care or social care, and  
( ) other relevant bodies who may be affected by the decision.>

**Alex Neil**

- 129 After section 30, insert—  
**<Review of strategic plan**
- (1) An integration authority—
    - (a) must before the expiry of the relevant period review the effectiveness of its strategic plan,
    - (b) may from time to time carry out such a review.
  - (2) In carrying out a review under subsection (1), the integration authority must—
    - (a) have regard to—
      - (i) the integration delivery principles, and
      - (ii) the national health and wellbeing outcomes, and
    - (b) seek and have regard to the views of its strategic planning group on—
      - (i) the effectiveness of the arrangements for the carrying out of the integration functions in the area of the local authority, and
      - (ii) whether the integration authority should prepare a replacement strategic plan.
  - (3) Following a review under subsection (1), an integration authority may prepare a replacement strategic plan.
  - (4) Subject to subsection (2), the process of such a review is to be such as the integration authority determines.

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- (5) A constituent authority must provide an integration authority which is an integration joint board with such information as the integration authority may reasonably require for the purpose of carrying out a review under subsection (1).
- (6) The person mentioned in subsection (7) must provide an integration authority which is a Health Board or a local authority with such information as the integration authority may reasonably require for the purpose of carrying out a review under subsection (1).
- (7) That person is the local authority or the Health Board with which the integration authority prepared the integration scheme in pursuance of which the integration authority acquired its delegated functions.
- (8) A strategic plan prepared in pursuance of this section must specify a day on which the period of the plan is to begin.
- (9) In subsection (1), “relevant period”, in relation to an integration authority, means—
  - (a) the period of 3 years beginning with the integration start day (as defined in section 23(4)), and
  - (b) each subsequent period of 3 years beginning with—
    - (i) where a replacement strategic plan is prepared following a review under subsection (1), the day specified under subsection (8),
    - (ii) where no replacement strategic plan is prepared following such a review, the day on which the integration authority decides not to prepare a revised strategic plan.>

### Alex Neil

130 After section 30, insert—

#### <Requirement to prepare replacement strategic plan

- (1) This section applies where the integration authority in relation to the area of a local authority is an integration joint board.
- (2) If it appears to a constituent authority that the strategic plan is preventing, or is likely to prevent, the constituent authority from carrying out any of its functions appropriately or in a way which is consistent with the integration delivery principles and the national health and wellbeing outcomes, the constituent authorities acting jointly may direct the integration authority to prepare a replacement strategic plan.
- (3) A direction under subsection (2) must—
  - (a) be in writing,
  - (b) include a statement summarising the reasons for giving it.
- (4) A direction under subsection (2) must specify—
  - (a) a day by which the replacement strategic plan must be prepared, and
  - (b) a day on which the period of the plan is to begin.
- (5) The constituent authorities acting jointly may by direction substitute a different day for a day specified under subsection (4).
- (6) An integration authority must comply with a direction given to it under subsection (2).>

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### Consultation regarding proposed decision which may significantly affect service provision

**Alex Neil**

**132** In section 32, page 13, line 33, after <where> insert—

<( ) an integration authority carrying out an integration function for the area of a local authority proposes to take a decision which the authority considers might significantly affect the provision in a locality of the area of a service provided in pursuance of the function, or

( )>

**Alex Neil**

**133** In section 32, page 14, line 1, leave out <person must take such action as the> and insert <integration authority or, as the case may be, person must take such action as the authority or>

**Alex Neil**

**134** In section 32, page 14, line 4, at end insert—

<( ) The integration authority may pay to members of groups consulted under subsection (3) such expenses and allowances as the authority determines.>

### Integration authority: performance report

**Alex Neil**

**135** In section 33, page 14, line 6, leave out <and publish>

**Alex Neil**

**136** In section 33, page 14, line 9, after <year> insert <to which it relates>

**Alex Neil**

**137** In section 33, page 14, leave out line 12 and insert—

<(3A) An integration authority must—

- (a) publish each performance report before the expiry of the period of 4 months beginning with the end of the reporting year, and
- (b) provide a copy of it to the persons mentioned in subsection (3B).

(3B) Those persons are—

- (a) where the integration authority is an integration joint board, each constituent authority,
- (b) where the integration authority is a local authority and a Health Board acting jointly, the integration joint monitoring committee,
- (c) where the integration authority is a Health Board or a local authority—
  - (i) the integration joint monitoring committee, and
  - (ii) the other authority.

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- (3C) A constituent authority must provide an integration authority which is an integration joint board with such information as the authority may reasonably require for the purpose of preparing a performance report.
- (3D) The other authority must provide an integration authority which is a Health Board or a local authority with such information as the integration authority may reasonably require for the purpose of preparing a performance report.>

**Alex Neil**

**138** In section 33, page 14, line 13, after <section> insert—

<“other authority” means the local authority or the Health Board with which the integration authority prepared the integration scheme in pursuance of which the integration authority acquired its delegated functions,>

**Alex Neil**

**139** In section 33, page 14, line 14, leave out <23(4)(b)> and insert <9(3) or, as the case may be, 14(1A)>