

SCRUTINY ROLE - HEALTH AND SOCIAL CARE PARTNERSHIP

1. EXECUTIVE SUMMARY

- 1.1 This report has been prepared in response to a request from Members of the Performance, Review and Scrutiny (PRS) Committee for information in relation to their role in scrutinising Argyll and Bute's Health and Social Care Partnership.
- 1.2 Governance and Accountability arrangements of Health and Social Care Partnerships (HSCP) are complex and reference is made to these complexities in several recent Audit Scotland National reports.
- 1.3 The advice received verbally from the controller of Audit is that there is no call in or direct scrutiny function but rather the Council monitors the performance of the HSCP in relation to the agreed outcomes as set out in the 3 year strategic plan. This is done via the PRS Committee although the potential exists for members who are not on the Integrated Joint Board (IJB) to raise or debate an IJB related matter in a service committee or area committee. Any motion that is agreed in those forums could only be advisory to the IJB who can choose whether to have regard to it or not.
- 1.4 Various scrutiny arrangements are in place throughout Scotland and there is no standard approach to scrutiny of HSCP's in terms of being tasked to a specific committee. What does seem to be consistent is that scrutiny activity is targeted specifically on financial performance of HSCP's as well as on performance against agreed strategic plans / outcomes.
- 1.5 Audit Scotland have recently (Sept 2016) published a National report entitled Social Work in Scotland which, amongst other topics, makes reference to scrutiny and governance arrangements and the associated complexities. In the Audit Scotland report it specifically states that accountability arrangements for the IJB Chief Officer are complex, for example, the Chief Officer has a dual role. They are accountable to the IJB for the responsibilities placed on the IJB under the Act and the integration scheme and they are also accountable to the Council and NHS board for any operational responsibility for integrated services, as set out in the integration scheme.
- 1.6 The report also goes on to state "Council Chief Executives were clear that accountability lies with the council for services delegated to the IJB because, under legislation, the council retains statutory responsibility for delivering social work services". However Audit Scotland have previously highlighted the risk that ultimate responsibility might lie with IJBs, which plans and direct councils and NHS boards in how services are to be delivered. All parties need to recognise this risk and clearly set out an agreed understanding of each other's roles and responsibilities.

- 1.7 Council representation on the IJB consists of generally four or five elected members. This means that a small subset of elected members of the council and members of the NHS board will be responsible for social work governance and scrutiny within the IJB and its committees. There is a risk that the majority of elected members could feel excluded from social work decision-making and scrutiny. There is also a risk that this arrangement leaves responsibility for governance and scrutiny with a small number of elected members.
- 1.8 In an attempt to mitigate these risks the report states that it is important that all elected members receive training and guidance on the operation of the new governance arrangements. The Scottish Government has produced guidance on the roles, responsibilities and membership of the IJB. COSLA is also working with the Improvement Service and the Scottish Government to support elected members who do not sit on IJB boards to help them fulfil their role, including councils' ongoing statutory duties. COSLA intends to produce an elected member briefing note focusing on councils' role and interests to ensure they are kept informed of the changes. It will also be hosting workshops for elected members to share their experiences.
- 1.9 The Audit Scotland report has been submitted to the relevant officers and Internal Audit will follow up any recommendations made / actions required as part of existing protocols.

2. RECOMMENDATIONS

- 2.1 Members are asked to note the advice received that there is no call in or direct scrutiny function but rather the Council monitors the performance of the HSCP in relation to the agreed outcomes as set out in the 3 year strategic plan.

3 CONCLUSION

- 3.1 This report provides members with advice regarding role of the PRS committee in respect of scrutinising Argyll and Bute's Health and Social Care Partnership.

4. IMPLICATIONS

- 4.1 Policy - None
- 4.2 Financial - None
- 4.3 Personnel – None
- 4.4 Equal Opportunities – None
- 4.5 Legal – None
- 4.6 Risk – None
- 4.7 Customer Service – None

Kirsty Flanagan

Head of Strategic Finance

For further information contact: Kevin Anderson, Tel 01369 708505

kevin.anderson@argyll-bute.gov.uk