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NHS Board Chief Executives
Local Authority Chief Executives
Integration Joint Board Chief Officers
Third Sector Collaborative
Consultation Respondents

By Email

January 2021

Dear Colleagues,

I am writing to outline the next steps in the inclusion of Integration Joint Boards as Category 1 Responders under the Civil Contingencies Act 2004. As you may recall, we wrote to you in October to announce the consultation on the equality and Fairer Scotland Duty impacts of the above. I would like to thank all who took the opportunity to respond to the consultation. The consultation concluded on the 22 November and today we have published an analysis of the responses, the official Government Response to the consultation, the Equalities Impact Assessment and the Fairer Scotland Duty. These are available at:

<https://consult.gov.scot/health-and-social-care-integration/consultation-to-amend-the-civil-contingencies-act/>

As you will see from the consultation analysis, of the 42 valid responses received, 16 made no comment about potential equalities impacts. Of the 28 responses which did comment on equalities impacts, the vast majority felt that there were no potential equalities impacts and no responses mentioned any specific protected characteristics.

Although the consultation asked only about equalities impacts, 33 respondents took the opportunity to provide their views on the proposal itself. Ten responses were broadly supportive of the proposal, 14 responses stated that they did not support the proposal. Objections were generally associated with views that the proposal is potentially burdensome/unnecessary; detrimental to existing systems; likely to create complexity; and not compatible with IJBs' constitution. These concerns are addressed within the Government Response.

It is worth reiterating that the proposal to legislate emerged from evidence during the pandemic, referenced by the Health and Sport Committee on the 17 June 2020, that in some areas IJBs were not included in local response activity by the Health Board and/or Local Authority. By including Integration Joint Boards as Category 1 responders, it ensures that where there is a risk of an emergency which will impact functions delegated to the Integration Joint Board, there will be formal, coordinated and appropriate arrangements in place for emergency planning; information sharing and cooperation with other responders; and joined up information sharing and advice for the public.

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I note concerns expressed by some partners that this proposal is potentially burdensome. However, given local partners are already working within an integrated health and social care model there should be limited additional resourcing implications associated with the requirement. Officers engaged via partnership arrangements in the Health Board and Local Authority would be expected to ensure the IJB is briefed and included in discussions and planning.

In considering the responses to the consultation, I have therefore concluded that there are neither clear equality, operational nor strategic planning barriers to progressing the proposal and legislating for the IJB inclusion within the Civil Contingencies Act 2004 as Category 1 responders. Therefore, the amendments to the Civil Contingencies Act 2004 will be laid before the Scottish Parliament on Monday 18 January for due consideration.

I would like to again thank all who took the time to respond to the consultation.

Kind regards,



JEANE FREEMAN

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