



Item No: 22

Meeting Date: Wednesday 20th September 2017

Glasgow City Integration Joint Board

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TRADE UNION REPRESENTATION ON INTEGRATION JOINT BOARD

Purpose of Report:	To provide an update on an action from the Integration Joint Board (IJB) meeting held in February 2017 regarding Third Sector trade union representation on the IJB.
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Recommendations:	The Integration Joint Board is asked to: a) note this report.
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Relevance to Integration Joint Board Strategic Plan:

None – relates to matters of governance.

Implications for Health and Social Care Partnership:

Reference to National Health & Wellbeing Outcome:	None – relates to matters of governance.
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Personnel:	None
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Carers:	None
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Provider Organisations:	Responsibility for engaging with staff of provider organisations and their trade unions remains with the respective employers.
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Equalities:	None	
Financial:	None	
Legal:	The Public Bodies (Joint Working) (Scotland) Act 2014 places no duty on IJBs to appoint a member representing staff of provider organisations.	
Economic Impact:	None	
Sustainability:	None	
Sustainable Procurement and Article 19:	None	
Risk Implications:	None	
Implications for Glasgow City Council:	None	
Implications for NHS Greater Glasgow & Clyde:	None	
Direction Required to Council, Health Board or Both	Direction to:	
	1. No Direction Required	✓
	2. Glasgow City Council	
	3. NHS Greater Glasgow & Clyde	
	4. Glasgow City Council and NHS Greater Glasgow & Clyde	

1. Purpose

- 1.1 The purpose of this report is to provide an update on an action from the Integration Joint Board (IJB) meeting held in February 2017 regarding Third Sector trade union representation on the IJB.

2. Background

- 2.1 At the IJB meeting held on 15 February 2017, the member attending on behalf of Glasgow City Unison articulated the view of Unison that trade union representatives in the Third Sector should have representation on the IJB. Minutes of that meeting are available at <https://glasgowcity.hscp.scot/sites/default/files/publications/IJB%20Approved%20Minutes%20-%202015%2002%202017.pdf>

2.2 Following discussion, the Chief Officer was instructed to consider this issue and the wider question of workforce engagement, and to report back to a future meeting.

3. IJB Membership

3.1 The Public Bodies (Joint Working) (Scotland) Act 2014 and associated regulations outline the minimum membership of Integration Joint Boards. This includes the requirement that IJBs must appoint “*at least one member in respect of... staff of the constituent authorities engaged in the provision of services provided under integration functions.*”¹

3.2 In this context, ‘constituent authorities’ refers to the Council and Health Board, and the IJB as a result of this has appointed a member from Glasgow City Unison, representing Council staff, and from NHS Staffside, representing Health Board staff.

3.3 Furthermore, there is a statutory requirement for IJBs to appoint a member representing “*third sector bodies carrying out activities related to health or social care in the area of the local authority,*” which the Glasgow City IJB has done. There is no statutory requirement for IJBs to appoint a member specifically to represent staff of third sector bodies or represent staff of any employer other than the Council and Health Board.

4. Third Sector Trade Union Membership

4.1 The proposal that the IJB appoints a Third Sector trade union representative presents a number of practical and governance considerations.

4.2 Relationship between IJB and Third Sector Staff

Decisions of the IJB do not directly affect Third Sector staff. In governance terms, the IJB directs the Council and Health Board to deliver services, and in the absence of any specific instructions from the IJB it is for the Council and Health Board to decide how they will carry out those directions. This may involve the Council and Health Board providing those services themselves, or commissioning them from the Third and Independent Sectors.

4.3 It is the decisions regarding implementation, made by the Council and Health Board, which impact on the Third Sector, and in turn how the Third Sector responds to those decisions is what directly impacts on their staff. As such, this arrangement would suggest that the interests of Third Sector staff may be better represented with their employers than by representation on the IJB.

4.4 Representation

There is a further consideration as to who can be said to represent the interests of all staff within the sector. Different staff groups will potentially be members of different unions (or none) and it would present a significant challenge for a Third Sector trade union member to satisfy the requirement, as outlined in Scottish Government guidance that stakeholder members “*will reflect the views of the*

¹ The Public Bodies (Joint Working) (Integration Joint Boards) (Scotland) Order 2014 - Article 3
<http://www.legislation.gov.uk/ssi/2014/285/article/3/made>

*groups they represent on the Integration Joint Board.*² Council and Health Board trade union members on the IJB each represent one group of staff working for a single employer and with a clear framework for all staff to raise matters of concern. In the absence of such a framework across the Third Sector, it would most likely be challenging for a trade union to represent the views of all staff in a similar fashion.

4.5 **Other Parties**

If a Third Sector trade union representative is appointed to the IJB, a range of other bodies, such as those organisations representing GPs, nurses and Allied Health Professionals may feel they have a similar case for membership, adding to the already significant membership of the IJB. Such increases in membership would present a risk, through an increased amount of time spent discussing staff issues, of losing focus on the core business of the IJB of developing a Strategic Plan and monitoring the Council and Health Board's delivery of directions made under that plan.

4.6 **Other IJBs**

As part of the consideration of this matter, the Chief Officer has liaised with all other Chief Officers across Scotland. Without exception, the request made to Glasgow City IJB to consider this membership has not been made anywhere else in the country.

5. **Alternative Options**

5.1 Notwithstanding the considerations outlined in Section 4 of this report, there is a need to engage with, and consider the interests of, Third Sector staff within the decision making processes of the IJB. Although the IJB does not include Third Sector trade union representation, there are a number of actions that will be taken forward to engage and support this valued section of the health and social care workforce.

5.2 **Report Implications**

The cover pages of IJB reports promote identification of implications across a range of headings. Officers can be encouraged to use these headings to consider implications on third sector staff, where these are known or can be projected at time of report writing, for example:

- **Personnel** – can apply to staff beyond those employed by the Council and Health Board
- **Provider Organisations** – can refer to impacts on staff as well as on organisations as a whole and
- **Economic Impact** – where proposals may impact on levels of employment within the third sector, or the income of staff, these can be highlighted within this section.

5.3 **Workforce Engagement**

It is considered that the primary responsibility for engaging and communicating with a workforce rests with the employer, and the IJB has no legal basis on which

² Scottish Government: *'Roles, Responsibilities and Membership of the Integration Joint Board'*
<http://www.gov.scot/Resource/0048/00484578.pdf>, page 18

to compel Third Sector employers to engage with their respective workforces. The IJB can however encourage Third Sector employers to share key information regarding, for example, the Strategic Plan for health and social care in Glasgow, the IJB's transformation programme, Locality Plans etc. The Glasgow City Health and Social Care Partnership (GCHSCP) holds regular Provider Events where such information can be shared with employers, which in turn can then be fed back to staff by Third Sector organisations. Staff within the Third Sector, and their trade unions, are also welcome to engage with the GCHSCP and IJB via the existing platforms open to the public such as writing to the Chief Officer, or through the 'Contact Us' section of the GCHSCP website available at <https://glasgowcity.hscp.scot/contact-us>

6. Recommendations

- 6.1 The Integration Joint Board is asked to:
 - a) note this report.