

Alan Douglas LLB Dip LP

Chief Officer :Regulatory and Regeneration

Our Ref: IJB- CO-R&R

Your Ref:

Date: 11th January 2024



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Dear Margaret-Jane,

Consultation on Integration Scheme

As per previous correspondence, you are aware that shortly before Council in October 2023 approving the launch of the Consultation process we raised a concern around one of the amendments proposed to the Scheme which it was felt would potentially subvert the Council's democratic processes.

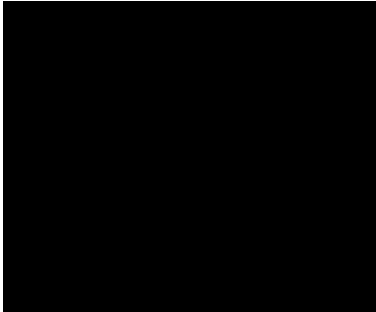
Given the draft had already been approved by the Health Board for consultation it was considered appropriate to Launch with the draft in its then current form but permit the point in question to be raised as a consultation response.

I would therefore ask that you consider this letter as my formal response to the consultation. As the officer with primary responsibility for ensuring the regulatory and democratic processes within the Council and how these are projected into the decision making structures of the Council, I have strong concerns that proposed change to Para 9.5 of the Scheme would have a serious and detrimental impact on the Council's ability to make decisions on matters which are not delegated functions. The proposal that The Health Board and the Council would require to consult on changes to non-delegated matters if they will have a resultant impact on the Strategic Plan effectively subverts the Council's ability to make decisions on a whole range of matters which may materially or non-materially impact on the Strategic Plan.

That would both be contrary to the general principal in local government that the Council should not enter into any agreement that could long term fetter its discretion and practically could render the budget process unworkable as timescales are unlikely to be able to be complied with and amendments on the day / opposition budgets would be precluded. For that reason I would suggest that it is necessary to retain the original wording of the provision i.e. that the IJB would be notified of any such changes.

I'm happy to discuss further if you feel it would be helpful, however trust that this letter and past discussions are sufficiently clear as regards the necessity for retaining the current provision.

Yours Sincerely



Alan Douglas
Chief Officer: Regulatory and Regeneration