

CCPS Response on Enabling Third Sector Voting Rights on Integration Joint Boards (IJBs)

The Coalition of Care and Support Providers in Scotland (CCPS) welcomes, in principle, the Scottish Government's intention to extend voting rights on Integration Joint Boards (IJBs) to third sector representatives. However, our members have identified a number of risks that are not addressed in the documentation accompanying the proposed legislative change.

In principle, extending voting rights could transform long-standing power imbalances - strengthening accountability, transparency, and the quality of decision-making within integrated health and social care governance. However, the absence of detail on the proposed legislative framework and on the resources required for implementation means CCPS is not yet able to support the secondary legislation, without further clarification.

CCPS held a discussion with members to gather insight on providers' current engagement with IJBs and the implications of the proposed changes to voting rights. Several attendees were third sector representatives on boards or strategic planning groups, some had indirect engagement through Third Sector Interfaces, and some had no meaningful engagement with IJBs. We have also engaged in policy activity, and supported members, around the integration of health and social care for many years and we bring this intelligence to our response.

This briefing outlines the issues that providers raised and **CCPS's conclusions on the proposed legislative change**.

CCPS is disappointed that this legislation has been laid so close to the election, with little time to debate the mechanics of *how* to make this a meaningful, positive change. It could be transformative but will not succeed if it is tokenistic. We are concerned that the Scottish Government concludes there are no financial implications to introducing these regulations, increasing our concern that the regulations will be a 'tick box' and fail to drive a shift in decision making. The absence of a Business and Regulatory Impact Assessment makes it difficult to understand how the costs of implementing this policy — including representative capacity, governance support, and engagement infrastructure — are expected to be met by either the third sector or IJBs.

CCPS was engaged in some of the activities [referenced](#) in the list of consultation activities listed in the policy note, such as the Expert Legislative Advisory Group for the NCS Bill. However, those discussions related to different legislative proposals, and we are unconvinced they resulted in full consultation on the practical and governance implications

of extending voting rights within current IJBs. We note, the National Care Service Interim Advisory Board, on which CCPS sits, has not yet considered this policy.

For the policy to be implemented successfully, a number of foundational questions must first be addressed if the third sector member is to vote: who third sector representatives should be; the purpose of their role on IJBs; which mechanisms should support and facilitate representation; how power dynamics on boards will be considered; how a diverse sector can be fairly represented by a small number of individuals; and how conflicts of interest will be identified and managed.

CCPS members are clear that structural change alone will not deliver meaningful participation. Simply granting voting rights, without corresponding investment in people, roles, and processes, risks reinforcing tokenism rather than resolving it. There is concern among representatives that this could place additional burden and risk on individuals while leaving underlying dynamics unchanged. Relationships, power, and process must be considered together.

The importance of the third sector voice in local decision making

Our members have an appetite for change in local decision making. Good governance should enable people and communities to shape local solutions. This includes providers.

CCPS members have previously expressed concern that current IJB governance structures privilege the priorities and risks of statutory partners, with decision-making shaped by the need for financial control rather than shared system-wide outcomes. Strategic decisions are often made centrally and presented to providers after priorities have already been set.

IJB governance does need to evolve to deliver stronger collaboration across sectors, clearer shared purpose, and a shift from competitive and transactional relationships to trust-based, strategic partnerships that focus on quality, prevention, and long-term impact. Some of our members have pointed to good practice in Orkney and East Renfrewshire HSCPs, where solutions to challenges have been found in closer collaboration with providers as equal partners. More generally though, members noted the language of 'partnership' is frequently invoked but rarely realised in day-to-day decision-making.

Currently, Third Sector Interfaces play a key role in representing community organisations locally. But our sector is diverse, and members have raised concern that TSIs are not always best placed to represent the views and needs of larger, commissioned providers of care and support.

Issues Raised by CCPS members

Even though the policy intent was supported, CCPS members have raised several implementation concerns and questioned some of the risks providers in voting seats.

1. Power Imbalance, Financial Risk and Conflict of Interest

The extension of voting rights introduces new risks and conflicts of interest for third sector representatives:

- Many organisations are financially dependent on IJB commissioning decisions. Representatives reported feeling unable to challenge proposals robustly where funding for their organisation or peers may be at stake.
- Voting for or against a proposal may carry reputational or relational risks for the individual or the organisation they represent.

This creates a “tightrope” for individuals, particularly where voting is public and representation and accountability mechanisms are unclear.

Third sector voting members may have to frequently declare interests and withdraw from decision making as per Scottish Government guidance on the [roles and responsibilities of the board member](#). It is noted that if a board member has “*frequent declarations of interest*,” they should consider whether it is appropriate to continue in the role and that they may require a dispensation from the Standards Commission. We would be keen to understand how those in public sector voting seats - who are also, of course providers - apply this guidance now; third sector providers would not be alone in managing conflicts of interests in voting.

We are not clear whether all future voting members could take on a chair or vice chair positions in the IJB and seek clarification on this.

2. Representation and Legitimacy

There is significant ambiguity about who third sector representatives are representing on IJB boards and how that representation is legitimised.

Whilst there is currently flexibility granted to local areas in who they appoint in a non-voting capacity, there is a need for greater clarity and definition on the purpose and scope of a third sector voting role. [Scottish Government guidance](#) leaves decisions about additional board members to IJB Boards and offers little clarity on the purpose of the role of the third sector representative. For individuals, the guidance states that all board members should receive an induction, but offers little else.

A [2021 report for Glasgow HSCP](#) reviewed the nomination processes for stakeholder representatives on the IJB. It noted that:

“the most advanced and complex process was identified within Perth and Kinross, where the HSCP undertakes a full election process whereby interested stakeholders nominate themselves to be “Public Partners” in an exercise largely led by their Reference Group. The Reference Group is a group of 36 stakeholders from across the area who meet prior to IJB meetings to discuss the reports. The Reference Group meets with nominees informally as part of the election process and cast one

vote each to elect Public Partners from the ballots received. There are a number of external factors that make development and implementation of a new process for nominating Glasgow City IJB stakeholder representatives problematic within the timescales faced.”

Glasgow's nomination method, which we understand to be more common, involves using the Third Sector Interface Network to engage potential nominees and obtain nomination supporting statements.

At the roundtable, CCPS members raised issues with the purpose and representation of board roles:

- Third sector representatives often feel they are seen as speaking only for their own organisation.
- The role of Third Sector Interfaces (TSIs) as conduits is uneven, with variable membership coverage and engagement.
- While Third Sector Interfaces play a key role in amplifying community-level perspectives, the sector itself is diverse, and members caution against assuming the sector can be represented through a single voice.
- In some areas, it is not publicly communicated who the third sector representative is or how others can raise issues through them.

Thoughtful implementation of this policy requires attention to who the representatives are, how they are selected, supported, resourced, and protected from undue pressure or risk. Prior to approving any legislative change, the following point should be considered:

- Clarify the purpose of the role: it is unclear whether the third sector seat is intended to provide representation for not-for-profit social care providers or whether an individual is there to bring their experience and perspective on priorities. There is a need to distinguish between representing an individual organisation, representing the wider third sector, and representing the interests of staff or people who use services before the voting interest can be understood. We also question whether the diverse experience of community health and social care can be encompassed in a single seat effectively. We note that councils and NHS boards do not mirror a single seat approach.
- Explore more robust selection mechanisms, including transparent recruitment processes, elections, or hybrid models.
- Support and induction: Ensure that there is more structured induction, mentoring, and ongoing support for representatives, recognising the complexity and pressure of the role. Feedback suggests that although the HSCP is instructed through guidance to provide induction for board members, the current provision is not enough for many third sector representatives.
- Participation mechanisms: the information infrastructure/flow must also be considered, considering when and where influence is possible; how decisions are

shaped before formal votes; and how representation, feedback and accountability are maintained.

3. Tokenism and Late Engagement

[Scottish Government guidance](#) states: "*Scottish Ministers expect all public bodies to communicate clearly with their stakeholders, make information widely available, consult thoroughly and imaginatively and seek feedback on the public body's performance, acting on it as appropriate.*"

CCPS members suggest that current practice is mixed and third sector involvement in IJBs is frequently tokenistic. It is unclear whether extending voting rights is enough to address this. Members report:

- Being presented with decisions that have already been agreed informally by statutory partners.
- Papers presented for endorsement rather than genuine deliberation; being asked to "rubber stamp" proposals rather than shape them.
- Limited opportunity to influence priorities before options are narrowed or budgets are fixed.

Several participants described board or development sessions where power dynamics were already entrenched, and discussion felt performative rather than open. Some individuals also felt intimidated and not enabled to express their views.

Statutory [guidance](#) places responsibility on the Chair to ensure that all members can express their views and provides for IJBs to establish strategic planning groups and to delegate functions to committees where appropriate. Together, these provisions create scope for IJBs to strengthen and formalise stakeholder involvement earlier in the decision-making process. Without such reform to upstream engagement, extending voting rights risks placing individuals in difficult and exposed positions while delivering limited additional influence for the third sector or for people who use services.

Development of future IJB processes should consider:

- Earlier engagement: embedding board members' and stakeholders' input at formative stages of strategy and budget development, strengthening mechanisms for this.
- Clear feedback loops: establishing mechanisms for representatives to report back to the sector and to demonstrate how views have influenced decisions.
- Information flows: improve the flow of communication between IJBs and the wider third sector, including clarity on how evidence and concerns are consolidated and acted on.

CCPS members were also keen that IJBs are enabled to reflect on their practice, to speak honestly, invite challenge and share decision-making.

4. Capacity and Workload

Participation in IJB governance is highly resource intensive:

- Papers are lengthy, technical, and time consuming.
- Meetings and preparatory sessions require significant unpaid time.
- Many CCPS organisations work across multiple local authority or IJB areas, which makes it challenging to engage at all local levels.

There was limited enthusiasm for board level roles under current conditions, with concerns that the pool of willing and able representatives may shrink rather than expand if expectations increase without support.

Section 32(12) of the [Public Bodies \(Joint Working\) \(Scotland\) Act 2014](#) states, "*An integration authority may pay to members of its strategic planning group such expenses and allowances as the authority determines*", allowing for participation to be appropriately compensated. Provider employees are already under resourced and stretched thin. Granting voting rights without resourcing the role risks increasing inequity and burnout. Funding should be considered for:

- Representative time and capacity
- Training and governance support
- Engagement and consultation activity

Conclusion

CCPS supports the policy ambition behind this secondary legislation and is keen to see it implemented in a way that delivers real and lasting impact. In that context, CCPS would welcome a more comprehensive review of Integration Joint Boards, following the election, with a view to re-laying the regulations, informed by the outcomes of that review.

CCPS recommends that the review give attention to the issues laid out in this report. Legislative change should also be accompanied by a programme of implementation support focused on board roles, relationships, processes, and resourcing. There will be costs to effectively delivering this change, and the financial impact across the system should be made explicit and resourced.