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Health, Social Care and Sport Committee

The Public Bodies (Joint Working) (Integration Joint Boards) (Scotland) Amendment Order 2025 (SSI 2025/405)



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Health, Social Care and Sport Committee

To consider and report on matters falling within the responsibility of the Cabinet Secretary for Health and Social Care.

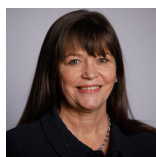


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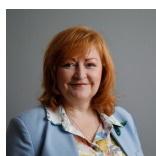
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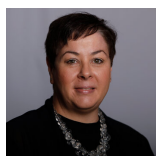
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Introduction

1. [The Public Bodies \(Joint Working\) \(Integration Joint Boards\) \(Scotland\) Amendment Order 2025 \(SSI 2025/405\)](#) was laid before the Scottish Parliament on 19 December 2025 and referred to the Health, Social Care and Sport Committee. It is subject to the negative procedure.
2. Negative instruments are instruments that are “subject to annulment” by resolution of the Parliament for a period of 40 days after they are laid (Rule 10.4 of the Scottish Parliament Standing Orders).
3. As described in the [policy note](#) accompanying the instrument:
 - ” The purpose of this instrument is to extend voting rights on Integration Joint Boards to include service user, unpaid carer and third sector representatives.

Delegated Powers and Law Reform (DPLR) Committee consideration

4. The DPLR Committee considered the instrument on 13 January 2026 and reported on it in its [6th Report, 2026 \(Session 6\)](#). The DPLR Committee made no recommendations in relation to the instrument.

Health, Social Care and Sport Committee consideration

5. Ahead of its consideration of the instrument, the Committee issued a targeted call for evidence to various stakeholders including Local Authorities, Health Boards, Integration Joint Boards and third sector organisations.
6. The Committee received submissions from the following organisations:
 - [COSLA](#)
 - [UNISON](#)
 - [Inclusion Scotland](#)
 - [South Lanarkshire Council](#)
 - [North Ayrshire Council/North Ayrshire HSCP](#)
 - [East Lothian Council](#)
 - [North Lanarkshire Council](#)
 - [Dumfries and Galloway Council](#)
 - [Orkney Islands Council](#)
 - [The ALLIANCE](#)
 - [Third Sector Interface Network](#)
 - [IJB Chairs/Vice-Chairs Network](#)
 - [Glasgow City IJB](#)
 - [Coalition of Care and Support Providers Scotland \(CCPS\)](#)
 - [East Ayrshire IJB](#)
 - [East Dunbartonshire HSCP](#)
 - [Glasgow City Council](#)
 - [Glasgow Disability Alliance](#)
7. [At its meeting on 3 February 2026](#), the Committee took oral evidence on the instrument from three panels of witnesses comprising the following:

Panel 1

- Matt Crilly, Policy Manager, and
- Councillor Paul Kelly, Spokesperson for Health and Social

Care, the Convention of Scottish Local Authorities (COSLA); and

- Stephen Smellie, Chair of the Social Work Issues Group, UNISON Scotland.

Panel 2

- Sandra Auld, Service User Member, Perth & Kinross Integration Joint Board;
- Rob Gowans, Policy and Public Affairs Manager, Health and Social Care Alliance Scotland (the ALLIANCE); and
- Natalie Masterson, Chief Executive Officer for Stirling, Third Sector Interface Network Scotland.

Panel 3

- Tom Arthur, Minister for Social Care and Mental Wellbeing,
- Imogen Lambert, Team Leader for National Care Service Participation Policy,
- John Paul Liddle, Deputy Director for the National Care Service, and
- Lucy McMichael, Head of Branch, Social Care Legal Services Unit, Scottish Government.

8. During the meeting, Councillor Paul Kelly raised concerns on behalf of COSLA that extending voting rights on Integration Joint Boards to service user, unpaid carer and third sector representatives would dilute the political and democratic accountability of local councillors sitting on those Boards.
9. For this and a range of other reasons, Councillor Kelly confirmed that, as things currently stood, COSLA was opposed to the extension of voting rights on Integration Joint Boards to service user, unpaid carer and third sector representatives, as the current Order would do.
10. In oral evidence, Sandra Auld, a Service User Member of Perth and Kinross Integration Joint Board, expressed support for the Order, arguing that extending voting rights to service user, unpaid carer and third sector representatives would establish a "parity of esteem" as well as a "parity of voice" between different categories of Integration Joint Board members, which she felt was currently missing.
11. Sandra Auld further argued it would be "hugely disappointing" if elected or appointed officials were, at this stage, to obstruct such an opportunity to eliminate what she perceived to be the current two-tier system of IJB membership.
12. In reference to the Order, the Minister for Social Care and Mental Wellbeing told the Committee:

” The message has been loud and clear. Lived experience members have not felt included as equal and valued members of the IJBs. This Order is a step in the right direction to change that.
13. Addressing claims from certain stakeholders, including COSLA, that the Order had

been subject to insufficient consultation prior to being laid, the Minister continued:

” This overlooks the sustained engagement we have held on the specific issue of voting rights over the past five years and intensely throughout the last year.

14. The Minister concluded by informing the Committee that, to address the concerns raised about the Order by certain stakeholders, the Scottish Government had established a short life working group to support its implementation.

Motion recommending annulment

15. Under Rule 10.4, "any member (whether or not a member of the lead committee) may, by motion within the 40-day period, propose to the lead committee that the committee recommend that the instrument be annulled".
16. On 3 February 2026, Carol Mochan MSP lodged motion [S6M-20667](#) —

That the Health, Social Care and Sport Committee recommends that the Public Bodies (Joint Working) (Integration Joint Boards) (Scotland) Amendment Order 2025 (SSI 2025/405) be annulled.
17. The motion was subsequently withdrawn on 9 February 2026.

Conclusion

18. The Health, Social Care and Sport Committee notes the Public Bodies (Joint Working) (Integration Joint Boards) (Scotland) Amendment Order 2025 (SSI 2025/405) and has no recommendation to make in relation to it.

