

7. PROFESSIONAL ADVISORY

Further to notification of the forthcoming duty a meeting was convened with the policy unit at Scottish Government to understand the implications and evidentiary requirements of meeting the duty as an IJB. This included the definition of a consumer given that health and social care services are primarily provided based on need as opposed to option. The discussion noted the wider environment impacting on health and social care consumers e.g. impacts of remote and rural service provision which provided relevant context.

8. EQUALITY & DIVERSITY IMPLICATIONS

Consumer Scotland is the statutory body designed to promote the collective interests of consumers in Scotland. As an independent body, Consumer Scotland will work with policymakers and key organisations to put consumer rights and interests at the heart of markets and services.

9. GENERAL DATA PROTECTION PRINCIPLES COMPLIANCE

Not directly applicable to this report.

10. RISK ASSESSMENT

This is a broad public duty across sectors. Consideration will be given as to how the IJB will be able to meet any proposed guidance and further dialogue has been offered to support this.

11. PUBLIC & USER INVOLVEMENT & ENGAGEMENT

This duty specifically focusses on the consumer and aligns with other guidance and duties for which the IJB has policy and framework support in place.

12. CONCLUSIONS

The IJB is asked to note the additional public duty and the forthcoming guidance. Further assurance on meeting the guidance will be provided to the board.

13. DIRECTIONS

Directions required to Council, NHS Board or both.	Directions to:	tick
	No Directions required	x
	Argyll & Bute Council	
	NHS Highland Health Board	
	Argyll & Bute Council and NHS Highland Health Board	

Appendix 1 -received by email 8 November 2024

Dear Chief Officer

As you may be aware, the [Consumer Scotland Act 2020](#) established Consumer Scotland as the statutory body for consumer advice and advocacy in Scotland.

As part of the process in establishing Consumer Scotland, stakeholder feedback identified the need for comprehensive change in how the interests of consumers are considered and integrated into policy and decision making to ensure that no detriment is brought to them as a result of strategic public body policy decisions. To this end, the Consumer Scotland Act 2020 requires that a relevant public authority must, when making decisions of a strategic nature about how to exercise its functions, consider the impact of those decisions on consumers in Scotland, and the desirability of reducing harm to them.

A Consultation on a Consumer Duty for Public Bodies was carried out in 2021 seeking views on the public bodies this Duty should apply to. The Scottish Government published its analysis to this consultation, which can be viewed at [A Consultation on a Consumer Duty for Public Bodies Analysis of Consultation Responses - gov.scot \(www.gov.scot\)](#). Overall, there was broad