

Midlothian Integration Scheme Review

Report by Kevin Anderson, Executive Director, Place

Report for Decision

1 Recommendation

The Council are invited to

- (a) Approve the final draft revised Midlothian Integration Scheme; and
- (b) Agree to submit the revised Midlothian Integration Scheme to the Scottish Ministers.

2. Purpose of Report/Executive Summary

In 2016 Midlothian Council entered into the Midlothian Integration Scheme with NHS Lothian to establish the Midlothian Integration Joint Board ('MIJB').

The Public Bodies (Joint Working) Scotland Act 2014 requires the Council and the NHS to carry out a review of the integration scheme within five years from the date the Scottish Ministers approved the scheme.

This report outlines work undertaken jointly to comply with this duty. The report seeks Council approval of the draft revised Midlothian Integration Scheme, and subject to approval of the Scheme by NHS Lothian, authority to submit the draft revised Integration Scheme to Scottish Ministers for their approval, as required by law.

Date: 15 June 2022

Report Contact: Alan Turpie, Legal and Governance Manager

Email: alan.turpie@midlothian.gov.uk

3 Background

- 3.1 Section 44 of The [Public Bodies \(Joint Working\) Scotland Act 2014](#) (“The Act”) specifies a requirement to review Integration Schemes every five years from the initial formal approval of schemes granted by Scottish Ministers. The Act places a duty on Councils and Health Boards to do this (as the parties to the scheme). IJBs do not share that duty. The parties are required to identify whether any changes to the scheme are necessary or desirable, and if so, and with due public consultation, vary the scheme by jointly preparing a revised integration scheme.
- 3.2 For the Midlothian scheme, the review should have been completed by late May 2020. Plans initially considered in early 2020 to review the Midlothian Integration Scheme were halted and made unfeasible at that stage by the coronavirus pandemic. Scottish Government accepted this delay (which had affected many Board and Council areas), however in mid 2021 Scottish Government requested that the statutory reviews were taken forward without further delay. NHS Lothian, in coordinating the current joint review of schemes pan-Lothian, has continued to liaise with the Scottish Government policy team to both involve them and to communicate ongoing progress.
- 3.3 Initial consideration of the Integration Schemes with colleagues in NHS Lothian, other Local Authorities and Health & Social Care Partnerships, taken forward before the pandemic, did not identify a fundamental problem with the existing integration schemes.
- 3.4 Building on this in 2021 an Oversight Group was convened with participation of nominated senior officers representing all of the parties to the Lothian schemes. This group provided strategic guidance on the scope and focus for the necessary review to be undertaken. The review was duly remitted to essentially ‘Tidy Up’ the existing schemes, rather than to consider anything more transformational with regard to delegated functions, scope and the operations of Lothian IJBs. This scope was set in recognition of the emerging national policy landscape in Health and Social Care particularly arising from the Independent Review of Adult Social Care, and the consideration of a new National Care Service. The Oversight Group also recognised that operational management arrangements for hosted services had changed significantly since the initial Integration Schemes had been written, and therefore requested that the operational detail be removed from the revised schemes (as such was out of date and unnecessary).

3.5 The main areas reviewed in the 2021/22 review exercise are:

- A refresh of the Aims, Vision, Values, Outcomes of the IJB in line with current strategic plans
- A general refresh of all out of date text in the scheme - Operational Role of the IJB; Support for Strategic Planning; Professional Technical and Administrative support services; Performance Targets & Improvement Measures, Complaints processes, etc.
- The core Clinical and Care Governance element of schemes has largely been retained in the revised scheme in the existing form.
- An extensive update to the finance section of schemes has been completed collaboratively by finance leads across all of the parties, updating detail on Financial Governance; Payments to MIJB; Financial Reporting; Process for Addressing Variance; Redetermination of Payments; Redetermination of Set-aside Amounts; Use of Capital Assets; Financial Statements; and External Audit etc.
- An extensive update to the Information Governance and Data Sharing section has been completed collaboratively across Information Governance leads, to better reflect the current protocols and arrangements in place across Lothian.
- As necessary subject expert input from council teams, Health and Social Care Partnership Teams, and from within NHS Lothian was gained to inform review work. / etc.
- Legal review of the revised schemes was led by the Council's Legal and Governance Manager, working with the coordinating manager for the review in NHS Lothian. The NHS Scotland Central Legal Office nominated solicitor has also reviewed and inputted to the revision.

4 Consultation Process

4.1 The statutory duty to review the Integration Scheme jointly also requires a period of public consultation to determine and inform any changes to the scheme. As the parties agreed that it was necessary or desirable to change the Integration Scheme, Section 46 of the Act was followed to vary the scheme. Section 46 includes a consultation requirement on the proposed changes, and parties to the scheme must take into account consultation views when finalising the scheme. Consultation to support revision of the scheme was therefore carried out jointly in each area and requested both general comments on any aspect of the scheme, and comments on specific proposed changes to the text of the scheme.

4.2 Consultation exercises ran in Midlothian between 18/3/22 -10/4/22.

- 4.3 The consultation exercises were hosted on the council website, with a link also placed on the NHS Lothian Consultation Zone webpage. Council and NHS Lothian Communication Teams and Health and Social Care Partnership managers supported the consultation exercises. Efforts were made to reach all statutory consultees through direct email, staff communications, community councils, public forums and networks, commissioned providers, partner organisations and stakeholder representatives including services users and carers. IJB members were also invited to contribute views. Information about the consultation was published on Health and Social Care Partnership (HSCP) websites and via social media.
- 4.4 All views expressed have been considered during the review process, and in finalising the revised schemes, as required by the Act.
- 4.5 Following approval by both the Council and NHS Lothian, the next step is to jointly submit the revised scheme to the Scottish Ministers for approval under section 7 of the Act. A revised integration scheme takes effect upon the date of approval by the Scottish Ministers. The council and NHS Lothian must then publish the new scheme.

The final draft revised Midlothian Integration Scheme is appended as Appendix B to this report.

5. Report Implications (Resource, Digital and Risk)

5.1 Resource

There are no resource implications arising directly from this report.

5.2 Digital

There are no digital implications related to this report.

5.3 Risk

Failure to review the Midlothian Integration Scheme would contravene section 44 of the Public Bodies (Joint Working) Scotland Act 2014.

5.4 Ensuring Equalities

An equalities impact assessment has not been required in connection with this report.

5.5 Additional Report Implications

See Appendix A

Appendix A - Additional Report Implications

A.1 Key Priorities within the Single Midlothian Plan

Not applicable

A.2 Key Drivers for Change

Key drivers addressed in this report:

- Holistic Working
- Hub and Spoke
- Modern
- Sustainable
- Transformational
- Preventative
- Asset-based
- Continuous Improvement
- One size fits one
- None of the above

A.3 Key Delivery Streams

Key delivery streams addressed in this report:

- One Council Working with you, for you
- Preventative and Sustainable
- Efficient and Modern
- Innovative and Ambitious
- None of the above

A.4 Delivering Best Value

There are no direct implications related to this report.

A.5 Involving Communities and Other Stakeholders

The Consultation process carried out as part of the review is outlined above.

A.6 Impact on Performance and Outcomes

Not applicable

A.7 Adopting a Preventative Approach

Not applicable

A.8 Supporting a Sustainable Development

Not applicable