

Health and Social Care Integration: Midlothian Integration Scheme

Report by Eibhlin McHugh Director of Health and Social Care

1 Purpose of the Report

- 1.1 The purpose of this report is to invite the Council to consider, comment and approve for consultation the Midlothian Integration Scheme required to establish the Midlothian Integration Joint Board.

2 Background

2.1 Legislation

- 2.1.1 The Public Bodies (Joint Working) (Scotland) Act 2014 received Royal Assent on 1 April 2014 with a requirement for Local Authorities and Health Boards to jointly submit Integration Schemes for Ministerial approval by 31 March 2015. Midlothian Council is required to jointly prepare and submit an Integration Scheme with the Lothian NHS Board.

- 2.1.2 The Integration Scheme must include all matters described in the Public Bodies (Joint Working) (Integration Scheme) (Scotland) Regulations 2014¹. The prescribed information is to be agreed between the Health Board and the relevant Local Authority.

- 2.1.3 The Draft Integration Scheme is a legal document and is attached as Appendix 1. It covers such matters as:

- Aims and outcomes of the IJB;
- The integration model i.e. IJB;
- The functions to be delegated to it
- The governance arrangements that it will operate under
- Clinical and care governance arrangements
- Workforce matters including the role and responsibilities of the Chief Officer
- Financial governance and operation
- Risk, claims and complaints
- Information sharing
- Participation and engagement; and
- Dispute resolution.

2.2 Developing the Integration Schemes

- 2.2.1 In Midlothian the draft Integration Scheme has been developed jointly by senior officers working in the Health Board and Midlothian Council. There has already been consultation with senior staff in NHS Lothian and Local Authorities to develop the draft Integration Schemes.
- 2.2.2 To develop the detail required for the Integration Schemes and to meet the prescribed deadline it has been necessary for work on the content ahead of the publication of the final Regulations and associated guidance. There will be further detailed guidance published by Scottish Government which may require amendments to the Schemes in light of any material changes. In particular very recent guidance has emphasised the operational responsibility of IJBs. Further clarity is being sought from Scottish Government to determine whether this will require a material change to the Integration Scheme.
- 2.2.3 The Regulations require consultation on the Integration Schemes with internal and external stakeholders. In addition to internal consultation already undertaken in the Health Board and Local Authorities a formal joint-consultation is planned with external stakeholders as well as a wider internal consultation with staff. There is not a required length for the consultation and in Midlothian the consultation is scheduled for eight weeks. The table below describes the consultation timetable for the Midlothian Integration Scheme and the date when the final version will be approved.

Table 1::Consultation and approval for Midlothian Integration Scheme

	Approval of Integration Schemes for consultation	Consultation period	Approval of final Integration Scheme prior to submitting to Scottish Govt.
Midlothian Council	16 th Dec 14	17 th Dec – 17 th Feb	3 rd March
NHS Lothian	3 rd Dec 14	Jan. -17 th Feb.	4 th March

The expectation is that the approval process by Scottish Government is likely to take in the region of two months. Assuming the approval process is straightforward for the Midlothian Scheme, this would enable the new IJB arrangements to go live in June 2015 at which point the IJB would consider for approval the Midlothian Strategic Plan.

2.3 Delegation of additional functions

- 2.3.1 The Regulations prescribe which functions *must* be delegated to the Integration Joint Board, which functions *may* be delegated and which functions *must not* be delegated. The Lothian NHS Board and Midlothian Council will delegate all the functions that *must* be delegated. In addition there are functions which *may* be delegated where the Board or Council have elected to also delegate these to the Integration Joint Board.
- 2.3.2 It is proposed that Midlothian Council elect to delegate the function for criminal justice social work as it relates to provision for people over the age of 18. This will strengthen the multi-disciplinary approach to addressing the needs of people coming through the criminal justice system, particularly in seeking to address underlying issues such as mental health and addiction. There will remain a requirement for strategic planning for criminal justice to also be undertaken by the Community Justice Authority and through the Safer Communities Board. While this is a complex set of arrangements it reflects the importance of a whole system approach to addressing offending behaviour.
- 2.3.3 The Lothian NHS Board has previously agreed in October 2014 to delegate additional functions to the Integration Joint Board beyond the functions described in the Regulations that *must* be delegated. Since then the Scottish Government has published the final Regulations which have informed the revised list in the draft Integration Schemes of additional health functions that will be delegated to the Integration Joint Board. These functions are the following health services as they relate to provision for people under the age of 18:
1. Primary Medical Services and General Medical Services (including GP Pharmaceutical services)
 2. General Dental Services, Public Dental Services and the Edinburgh Dental Institute
 3. General Ophthalmic Services
 4. General Pharmaceutical Services
 5. Out of Hours Primary Medical Services
 6. Learning Disabilities
- 2.3.4 The rationale for including these functions is because they all provide a 'cradle to grave' service and the service for the whole population should be planned by one organisation instead of splitting the strategic planning of these services at 18 years of age.
- 2.3.5 In Midlothian it is the intention that Children's Services will be delegated to the Integration Joint Board at a later date as part of a second phase of integration. This will require a revised Scheme to be resubmitted to Scottish Government for approval during 2015/16.

3 Report Implications

3.1 Resources

There are no resource implications from this paper but there are substantial implication arising from the Act about how resources are utilised and the changes being proposed in terms of establishing governance and management arrangements. These require to be worked through during the course of the consultation, the development of the Integration Boards Strategic Plan and in establishing the Integration Joint Boards. The Integration Scheme sets out the process for arriving at the resources that both the Council and NHS Lothian will provide to the IJB in its first year, the due diligence process to assess the adequacy and risks associated with the quantum of these resources and the process for agreeing the resources for future years.

3.2 Risk

The move towards new organisational arrangements inevitably gives rise to a range of risks in terms of governance, resources, information sharing etcetera. The development of the Integration Scheme is intended to provide clarity about how these new arrangements will operate in practice and thereby ensure the attendant risks are managed effectively. As the Strategic Plans for the IJB's across Lothian are developed the implications of integration on existing Lothian wide financial and risk sharing arrangements which the Health Board operate will need to be carefully assessed so that Council and the IJB have an appraisal of the risks which will be carried by the IJB and therefore the Council and NHS Lothian jointly.

3.3 Policy

3.3.1 Strategy: The creation of new arrangements for Health and Social Care are consistent with one of the key findings of the Christie Commission that “public services work effectively together to achieve outcomes”.

3.3.2 Consultation: The compilation of the Midlothian Integration Scheme has been informed by wide-ranging consultation with staff in both the Council and NHS Lothian. While the legislation is quite prescriptive requiring joint arrangements to be put in place, there are decisions to be taken locally on such matters as the model of integration and what is included in the scope of the Partnership. Following approval by the Council and NHS Lothian the attached Integration Scheme will be made widely available for comment until mid February 2015. Consultation will include publicity through the Council website and direct contact with key stakeholders such as User and Carer Forums; Third Sector and Independent Providers; Staff; and the Federation of Community Councils.

3.3.3 Equalities: The Integration Scheme does not of itself entail any proposals about changes to services or policies which will directly impact on people who use services. Any impact on inequalities arising

from integration will be described and assessed as part of the process of developing a strategic plan for health and care.

3.3.4 Sustainability: There are no environmental sustainability issues arising from this report

3.3.5 IT Issues: A key element of improved joint working between health and social care is that of strengthened information sharing arrangements. The attached Integration Scheme outlines how information sharing will be handled. At a practical level work has been ongoing for the past 18 months involving IT Services to create more effective arrangements for practitioners.

4 Summary

On 12th December 2011 the then Cabinet Secretary for Health, Nicola Sturgeon set out Scottish Government's plans to integrate adult health and social care. Following a lengthy period of consultation, legislation and regulation it is now possible to prepare proposals about how these arrangements will operate in Midlothian with a view to submitting an Integration Scheme to Scottish Government in March 2015. The attached Integration Scheme has been compiled with a view to seeking opinions on the local proposals before Government approval is sought. Despite the regulations and guidance already issued there remain some questions about interpretation and it is likely that some further amendments will be required notwithstanding the outcome of consultation exercise.

5 Recommendations

Council is recommended to

- 5.1 Agree to delegated criminal justice social work in addition to the functions the council must delegate to the Integration Joint Board
- 5.2 Consider and approve for public consultation the Midlothian draft Integration Scheme attached as appendix 1.
- 5.3 To note and agree the consultation period as set out and to agree that a revised Integration Scheme will be considered for approval by Council on the 24rd March 2015 before submission to Scottish Government on the 31st March.

Hyperlinks

¹ <http://www.legislation.gov.uk/sdsi/2014/9780111024539>