

NHS Lothian

NHS Lothian Board

4th March 2015

Director of Strategic Planning, Performance Reporting and Information
Director, West Lothian Community Health & Care Partnership
Edinburgh Director of Health and Social Care
East Lothian Director of Health and Social Care
Midlothian Director of Health and Social Care

INTEGRATION OF HEALTH AND SOCIAL CARE: INTEGRATION SCHEMES

1 Purpose of the Report

- 1.1 The purpose of this report is to invite the Board to approve for submission to Scottish Government the four Integration Schemes required in Lothian to establish the Integration Joint Boards. The Board received and approved for consultation the Midlothian and East Lothian Integration Schemes in December 2014 and the West Lothian and Edinburgh Schemes in January 2015.
- 1.2 This report is directly relevant to one of the 2014/15 corporate objectives (No 11): *“Improve integration of care by creating four Integrated Joint Boards in line with the Public bodies (Scotland) Act.”*

Any member wishing additional information should contact the Executive Lead in advance of the meeting.

2 Recommendations

- 2.1.1 Consider and approve for final approval to submit the following to Scottish Government:
- East Lothian Integration Scheme
 - Edinburgh Integration Scheme;
 - West Lothian Integration Scheme;
 - Midlothian Integration Scheme
- 2.1.2 Agree to delegate school nursing and health visiting to East Lothian and Midlothian IJBs in the first phase rather than phase two as had been originally planned.
- 2.1.3 Agree to delegate HMP Addiewell and HMP Edinburgh prison healthcare services to Edinburgh IJB.
- 2.1.4 Agree that if amendments are required to be made to the Integration Schemes by Scottish Government after submission that these changes can be authorised by the Chief Executive and the Chairman on behalf of the Board.

- 2.1.5 Agree to the actions listed in 2.5.2 to ensure that the IJB members are involved in overseeing the carrying out of integration functions

2.2 Discussion of Key Issues

- 2.2.1 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. NHS Lothian is required to jointly prepare and submit four Integration Schemes, one for each Local Authority area in Lothian.
- 2.2.2 Each Integration Scheme must include all matters described in the Public Bodies (Joint Working) (Integration Scheme) (Scotland) Regulations 2014. The prescribed information is to be agreed between the Health Board and the relevant Local Authority.
- 2.2.3 The four Councils must also approve the Integration Schemes and will intend to so on the dates set out in the table below.

	Approval of final Integration Scheme prior to submitting to Scottish Government
East Lothian Council	10 th March
Edinburgh Council	12 th March
Midlothian Council	24 th March
West Lothian Council	10 th March

2.3 Consultation

- 2.3.1 Public Consultations were held for each Integration Schemes. The Integration Scheme and supporting documents were available online on the Council and Health Board Internet and Intranet. There were 142 responses to the consultations (91 in Midlothian, 23 in Edinburgh, 9 in East Lothian and 19 in West Lothian). Most responses to the consultation were received from this mechanism. The Schemes were also discussed with key groups and committees (e.g the Area Clinical Forum responded to the four Integration Schemes, Healthcare Governance discussed the Schemes and EVOC organised a workshop with interested third sector organisations to discuss the scheme and provide a response to the Edinburgh consultation.
- 2.3.2 Scottish Government were consulted informally on the Schemes and provided valuable feedback on the changes they considered to be required to improve the content of the Integrations Schemes.
- 2.3.3 The main themes to emerge from the consultation were:
- The need for strong representation from third sector organisations on the IJB and Strategic Planning Groups which the IJBs will need to consider once established
 - Support for the approach to use existing structures for clinical and care governance structures but also concern that this may not deliver an integrated approach to governance. This section has been refined to respond to the consultation process.

- Support for the delegation of additional functions but some concerns about the impact on the relationship with functions that will not be delegated (e.g. education services). The IJBs and the Parties of the Integration Schemes will need to ensure that relationships are maintained with functions that have not been delegated.
- Difficulty in understanding a complex legal document and some complaints on the short length of the consultation which was driven by the national process

2.4 Delegation of additional functions

2.4.1 The Board has agreed in December that the following additional healthcare functions as they related to provision for people under the age of 18 will be delegated to the four Integration Joint Boards.

- Primary Medical Services and General Medical Services (including GP Pharmaceutical services)
- General Dental Services, Public Dental Services and the Edinburgh Dental Institute
- General Ophthalmic Services
- General Pharmaceutical Services
- Out of Hours Primary Medical Services
- Learning Disabilities

2.4.2 The Local Authorities are also empowered under the Regulations to delegate additional functions to the Integration Joint Board. The additional Council functions that will be delegated to the IJB are described in the table below:

	Additional Local Authority Functions delegated to the IJB
Midlothian IJB	Criminal Justice Social Work
East Lothian IJB	Criminal Justice Social Work Youth Justice Social Work
Edinburgh IJB	No additional functions
West Lothian IJB	No additional functions

2.4.3 During the consultation process it was determined that there are additional functions that should be delegated to the IJBs. These are:

	Additional Functions
Midlothian IJB	School Nursing and Health Visiting
East Lothian IJB	School Nursing and Health Visiting
Edinburgh IJB	Prison Health Care Service in HMP Addiewell and HMP Edinburgh

2.5 Operational Oversight of the Integration Joint Board

- 2.5.1 At the January Board meeting the role of operational oversight of the IJB was described in the paper titled “Integration of health and social care: integration schemes”. In summary the expectation of Scottish Government is that the Integration Joint Board is fully responsible for the carrying out of functions that have been delegated to it. However as it cannot employ or contract staff, it requires to direct the Health Board and the local authority to deliver services on its behalf. The Health Board and the local authority will therefore always be responsible in law for the delivery of services. The effect of this is that the operational governance of integration functions will be a combination of the governance activities of the Integration Joint Board and the governance activities of the Health Board and the local authority.
- 2.5.2 This means that governance responsibility lies across three organisations (the Health Board, the Local Authority and the Integration Joint Board). In preparing the Schemes cognisance has been made to this arrangement whilst seeking to minimise duplication of governance functions. Therefore the principle followed in developing the Integration Schemes has been that existing governance structures will be amended to provide governance for the IJB and that the IJB will have the authority to develop additional governance committees if these are required.

The integration scheme sets out detailed measures on the governance of integration functions throughout the text. Over and above those measures, the parties in East Lothian, Midlothian and Edinburgh will ensure that the IJB members are involved in overseeing the carrying out of integration functions through the following measures:

- The terms of reference and membership of the relevant committees of the parties shall be reviewed, and the IJB will be consulted as part of this process (and all future reviews).
- In order to develop a sustainable long term solution for the oversight of the integration functions by the IJBs, a working party will be convened, with membership from all four Lothian IJBs and the parties. This working party will develop recommendations for approval by the Lothian IJBs

In West Lothian the Council and NHS Lothian will ensure that their respective standing orders, schemes of delegation and other governance documents are amended (if required) to reflect the IJB’s power and remit.

2.6 Next stage

- 2.6.1 Providing NHS Lothian and the relevant Council approve the Integration Scheme it will be submitted to Scottish Government before the 1st April 2015, the deadline set in the Regulations.

- 2.6.2 Scottish Government has advised that the process to approve the Integration Schemes will take 12 weeks. During this period Scottish Government will review the schemes and liaise with partnerships to obtain information or clarity. The Cabinet Secretary will sign-off the Integration Scheme at week 8 and then the Order will be laid in Parliament for 28 days. After this the IJB can be legally constituted.
- 2.6.3 There may be further changes required to the Integration Schemes as a result of the Scottish Government process. Any changes are likely to be minor because Scottish Government has been informally advising on the content of the draft Integration Schemes. In order to facilitate this process the Board is requested to delegate authorisation of any changes to the Chief Executive and the Chairman.

3 Key Risks

There is an entry on the corporate risk register relating to health and social care integration and the preparation of integration schemes (risk ID: 3567). However such is the scope of functions covered by the Act, arguably integration has a bearing on all the Board's corporate objectives, and risks at all levels of the Board's risk management system.

4 Risk Register

The following risk is recorded on the NHS Lothian risk register.

'There is a risk that the Board and its Partners fail to submit agreed integration plans that satisfy the Scottish Government requirements to agreed timescales resulting in a failure to meet its legal responsibilities (Public Bodies Joint Working Act)'.

NHS Lothian must follow instruction in the Regulations to ensure that Integration Plans are submitted by 31 March 2015.

5 Impact on Inequality, Including Health Inequalities

- 5.1 An Impact assessment was completed on February 10th between representatives from NHS Lothian the four Local Authorities in Lothian. The Impact Assessment will be published on the NHS Lothian website. The main negative impacts identified from the EQIA were:

- The objective to reduce use of hospital-based services will increase the burden of care in the community. This may have a negative impact on carers and especially women who make up a higher proportion of informal carers in Lothian.
- The ambition to reduce inequalities is unlikely to be achieved by IJBs alone because of the wider determinants of ill health. Community Planning will have a much greater influence in reducing inequalities so the relationship between the CPP and the IJB will be important. This issue will be raised by NHS Lothian with the IJBs with the recommendation that IJB members ensure there is a robust and effective relationship between the IJB, its Strategic Planning Group and the Community Planning Partnership.

6 Involving People

- 6.1 There has been a collaborative approach to the development of the Integration Schemes between Health Board and Local Authority staff. There was a public and staff consultation held for each Integration Scheme.

7 Resource Implications

- 7.1 There are no resource implications from this paper but there are substantial resource implications from the implication of the Act 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 and in establishing the Integration Joint Boards and the setting agreed budgets for the first year, which we are describing as a transitional year.

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24th February 2015
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List of Appendices

Appendix 1: Edinburgh Lothian Integration Scheme
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