

**REPORT TO:** East Lothian Council

**MEETING DATE:** 16 December 2014

**BY:** Director of Health and Social Care

**SUBJECT:** Health and Social Care Integration: East Lothian Integration Scheme – Consultation Draft

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## **1 PURPOSE**

- 1.1 To invite the Council to approve for consultation the draft Integration Scheme required to establish the East Lothian Integration Joint Board.

## **2 RECOMMENDATIONS**

Members are asked to:

- 2.1 Note the delegation of functions as approved at East Lothian Council meeting on 24 June 2014 and the position in relation to the integration of Children's Health and Social Care Services.
- 2.2 Approve for public consultation the East Lothian draft Integration Scheme which has been lodged in the Members' Library Service (Ref: 243/14 December 2014 bulletin and which can be accessed via this link:  
[http://www.eastlothian.gov.uk/meetings/meeting/5635/members\\_library\\_service](http://www.eastlothian.gov.uk/meetings/meeting/5635/members_library_service)
- 2.3 Note that NHS Lothian has agreed to consult on the East Lothian draft Integration Scheme.
- 2.4 Note and agree the consultation period as set out and to agree that a revised Integration Scheme will be considered for approval at an additional meeting of the Council in March 2015 before submission to Scottish Government on the 31 March 2015.

### **3 BACKGROUND**

#### **Legislation**

- 3.1 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. East Lothian Council is required to jointly prepare and submit an Integration Scheme with NHS Lothian.
- 3.2 The 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.
- 3.3 The Consultation Draft Integration Scheme is a legal document. 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.

#### **Developing the Integration Schemes**

- 3.4 In East Lothian the draft Integration Scheme has been developed jointly by senior officers from NHS Lothian and East Lothian Council. There has already been consultation with senior staff in NHS Lothian and Local Authorities across Lothian to develop the draft Pan-Lothian Integration Schemes.
- 3.5 To develop the detail required for the Integration Scheme and to meet the prescribed deadline it has been necessary for work on the content to progress 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. This will be accommodated within the allotted consultation period. The main areas the guidance may have an impact

on are: operational arrangements; clinical and care governance; and financial arrangements.

- 3.6 The Regulations required consultation on the Integration Scheme with internal and external stakeholders. In addition to the internal consultation already undertaken in NHS Lothian and the four Lothian Local Authorities a formal joint-consultation is planned for each Integration Scheme with external stakeholders as well as a wider internal consultation with staff. The timeframe for this consultation is dependent on the dates when the draft Integration Scheme is approved by the NHS Lothian and East Lothian Council. There is not a required length for the consultation and it's proposed to consult for eight weeks. The table below describes the consultation timetable for the East Lothian Integration Scheme and the date when the final version will be approved.

**Table 1: Consultation and approval for East Lothian Integration Scheme**

	Approval of Integration Schemes for consultation	Consultation period	Approval of final Integration Scheme prior to submitting to Scottish Govt
East Lothian Council	16 Dec 14	17 Dec – 17 Feb	10 March (tbc)
NHS Lothian	3 Dec 14	Jan -17 Feb	4 March (tbc)

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 East Lothian Integration Scheme, this would enable the East Lothian Integration Joint Board to be formalised pending delegation of services after the approval of East Lothian Strategic Plan in June 2015.

### **Delegation of additional functions**

- 3.7 The Regulations made under the Act prescribe which functions *must* be delegated to the Integration Joint Board, which functions *may* be delegated and which functions *must not* be delegated. NHS Lothian and East Lothian Council will delegate all the functions that *must* be delegated. In addition there are functions which *may* be delegated where NHS Lothian or the Council have elected to also delegate these to the Integration Joint Board.
- 3.8 East Lothian Council has previously agreed in June 2014 to delegate the additional function of Criminal Justice Social Work services.
- 3.9 NHS Lothian 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 Scheme 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

3.10 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.

3.11 In East Lothian 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.

#### **4 POLICY IMPLICATIONS**

4.1 The Council agreed in March 2013 and June 2014 to the integration of Adult Wellbeing services and NHS services in a body corporate model.

4.2 The Council has already agreed the position on the integration of Children's services.

#### **5 EQUALITIES IMPACT ASSESSMENT**

5.1 There has been no impact assessment to date. An Impact assessment will be completed before the Integration Scheme is presented to the Council in March 2015 after amendments to the Integration Scheme as a result of consultation and publication of final guidance from Scottish Government.

#### **6 RESOURCE IMPLICATIONS**

6.1 Financial - There are no resource implications from this report 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 Board and the setting agreed budgets for the first year, which we are describing as a transitional year.

6.2 Personnel - there are no direct implications of this paper.

6.3 Other – none.

## **7 BACKGROUND PAPERS**

7.1 East Lothian Council Cabinet paper September 2012 – Response to the Scottish Government Consultation on Integration of Health and Social Care

7.2 East Lothian Council paper March 2013 - Integration of Health and Social Care Update

7.3 East Lothian Council Paper June 2014 – Integration of Health and Social Care

7.4 [Public Bodies \(Joint Working\) \(Scotland\) Act 2014](#)

7.5 [Regulations made under the Pubic Bodies \(Joint Working\)\(Scotland\) Act 2014](#)

7.6 NHS Lothian Board Paper – Integration of Health and Social Care October 2014

<b>AUTHOR'S NAME</b>	Joanne McCabe
<b>DESIGNATION</b>	Senior Solicitor
<b>CONTACT INFO</b>	7378
<b>DATE</b>	03/12/14