

East Lothian
Integration Joint Board



**MINUTES OF THE MEETING OF THE
EAST LOTHIAN INTEGRATION JOINT BOARD**

**THURSDAY 29 OCTOBER 2020
VIA DIGITAL MEETINGS SYSTEM**

Voting Members Present:

Councillor F O'Donnell (Chair)
Councillor S Akhtar
Dr P Donald
Councillor N Gilbert
Ms F Ireland
Councillor S Kempson
Mr P Murray
Dr Richard Williams

Non-voting Members Present:

Mr D Binnie	Ms C Flanagan
Ms A MacDonald	Ms M McNeill
Mr T Miller	Ms J Tait
Mr P White	

Officers Present from NHS Lothian/East Lothian Council:

Ms L Berry	Ms T Carlyle
Mr P Currie	Ms C Goodwin
Ms D Gray	Ms L Kerr

Clerk:

Ms F Currie

Apologies:

Mr I Gorman

Declarations of Interest:

None

1. MINUTES OF THE MEETINGS OF THE EAST LoTHIAN IJB ON 27TH AUGUST AND 17TH SEPTEMBER (FOR APPROVAL)

The minutes of the meeting on 27th August and the minutes of the public session within the meeting of 17th September were approved.

The minutes of the private session on 17th September would be considered in private, following the conclusion of today's public business.

2. MATTERS ARISING FROM THE MINUTES OF 27TH AUGUST AND 17TH SEPTEMBER

There were no matters arising from the public minutes.

3. CHAIR'S REPORT

The Chair highlighted the consultation on the independent review of adult social care, to be considered in more detail later in the agenda, and encouraged members to contribute both as part of the IJB and as individuals.

The Chair referred to the First Minister's announcement earlier in the day outlining the level assigned to each local authority within the five tier system of COVID-19 restrictions. East Lothian had been placed in Tier 3, although figures suggested it may be on the cusp of Tier 2. She added that it was more important than ever to encourage people to follow the appropriate restrictions.

The Chair invited the Chief Officer to make a statement regarding the recently published report on deaths in care homes. Alison MacDonald informed members that East Lothian had had a relatively low number of delayed discharges in recent years and, in March 2020, it had one of the lowest rates in Scotland with very few patients requiring onward care. She said that while there were a few discharges to care homes she was not aware of any cases that were the subject of further investigation. However, this may change in the future. She added that admissions to care homes were not solely from hospital; there had been some admissions from the community where an individual's care package was becoming fragile. The use of Ward 5 at the community hospital had also helped to keep care home admissions low.

The Chair thanked Ms MacDonald and encouraged members to raise any questions they may have about the report or East Lothian's response. She also wished to place on record her thanks to all care home staff and the Care Home team for their continued efforts to keep people safe.

4. INCLUSION OF IJBS AS CATEGORY 1 RESPONDERS

The Chief Officer had submitted a report advising the IJB of the Scottish Government's intention to make changes to the Civil Contingencies Act 2004 to include Integration Joint Boards as Category 1 responders; and advising the IJB of the current consultation exercise taking place in relation to the proposed changes.

Claire Goodwin presented the report outlining the background, purpose and implications of the proposed change. She advised that the deadline for consultation responses had been extended to 22nd November and she invited members to submit their comments to the Planning and Performance Team no later than 16th November. This would allow time to collate individual replies into a single IJB response.

The Chair encouraged members to provide their comments and said she considered it sensible for IJBs to become Category 1 responders.

Peter Murray welcomed the proposal as a good opportunity for IJBs but said that further detail of the potential implications was required. He would be providing comments to Ms Goodwin on two issues: information sharing and the expectation that IJBs would find the necessary resource from within existing Chief Officer and staff resources. He cautioned that further details would be required before the potential impact on staff time could be clearly understood.

Paul White commented that in recent years organisations had become used to doing more with less and he was concerned by the assumption from Government that there would be sufficient resource available to manage any additional work.

The Chair agreed with these comments and noted the existing pressures on officers' time which would only increase over coming months.

Ms MacDonald informed members that, nationally, Chief Officers were already discussing what this change might mean and she welcomed the opportunity for IJB members to comment on the proposal. She said that as Director of the Health & Social Care Partnership she was already involved in emergency and community planning aspects and that this change would consolidate the IJB's place within these structures. However, she acknowledged that the staff resource implications had yet to be fully understood.

The vote on recommendation (ii) was taken by roll call:

Councillor Shamin Akhtar	Agreed
Dr Patricia Donald	Agreed
Councillor Neil Gilbert	Agreed
Ms Fiona Ireland	Agreed
Councillor Susan Kempson	Agreed
Mr P Murray	Agreed
Councillor Fiona O'Donnell	Agreed
Dr Richard Williams	Agreed

Decision

The IJB:

- i. Agreed to note the proposed changes to the Civil Contingencies Act 2004 in relation to the inclusion of IJBs in the list of Category 1 responders; and
- ii. Agreed to the submission of a consultation response on behalf of the IJB, by the 22nd November deadline. The response will include the identification of potential impacts on the IJB, including any resource, personnel or other implications.

5. INDEPENDENT REVIEW OF ADULT SOCIAL CARE

The Chief Officer had submitted a report informing the IJB of the current independent review of adult social care and seeking to reach agreement on how the IJB should engage with the review process.

Claire Goodwin gave a brief presentation outlining the background, purpose and scope of the review. She encouraged members to submit their views both as part of a formal IJB response and directly to Government as individuals.

The Chair observed that members may want to comment on the process and as well as the terms of reference for the review. She encouraged all members to give a view, either as part of the IJB or individually, and she noted the very tight timescale for submission. She noted that this was also the opportunity for the IJB to put forward its view on what would be a realistic model of care.

Judith Tait noted that there was very little reference to social work in the review document despite it being the gateway to accessing state funded social care services. She urged the IJB to consider the difference between social work and social care when submitting its response.

Peter Murray supported Ms Tait's remarks. He also suggested that the IJB might want to make use of some of. He also offered to share the comments already submitted by the IJB Chairs and Depute Chairs' Group, which represented all IJBs, and that Ms MacDonald may wish to include some of these comments in the East Lothian IJB response.

Paul White welcomed the review but was concerned about the timing and limited timescale for responses. He said that the current public health restrictions made it very difficult to involve people with lived experience as it was not possible to visit care homes or individual's homes. He was concerned that their voices, and those of busy social care staff, may not be heard.

The Chair said she shared Mr White's concerns and noted that there was no carer or service user representatives on the Review Board.

Marilyn McNeill echoed Mr White's comments, particularly in relation to the timescale for response and the timing of the IJB's own work on service re-provision. She asked if it would be possible to speed up this work as it related to models of care for the elderly.

The Chair suggested that their response needed to honestly reflect the fact that, as a result of COVID and without having undertaken proper community engagement, it was not possible to say at present what future models of care would look like. She said it would be wrong to rush to a view of a future vision just because they had been asked to respond to a review.

Ms MacNeill agreed but said it would be important to emphasise that the IJB was trying to develop a vision for services in East Lothian and that this work should not be undermined.

David Binnie said that Carers of East Lothian (CoEL) had discussed the review and concluded that they needed to make their own formal response. CoEL had also asked if it would be possible for the IJB to share their response so that CoEL could support it as part of their own submission. Mr Binnie also suggesting including in the IJB's response the comments around the need to establish a more sustainable and efficient workforce and creating a carer career structure. This was an important point to make.

The Chair agreed noting the wider implications such as the need for a professional body and appropriate protections for staff, and the need to professionalise the role of Personal Assistants as well as care staff. She welcomed the idea of a national care service but did not want this to take away the opportunity for local decision-making.

Councillor Akhtar echoed Mr Binnie's remarks regarding valuing the workforce and recruitment and retention. As well as the need to place social care on an equal footing with other professions.

Councillor Gilbert commented that a very important component of any national care service would be a national living wage. He asked if this was something that the IJB could recommend.

The Chair said they should not only recommend this but highlight the efforts of the IJB to quickly deliver previous changes to the living wage.

The members then discussed the process for collating and finalising the IJB's response. There was general agreement that members should be allowed sight of the response and that voting members should be asked to formally sign-off the content. The document would reflect where there was a commonality of viewpoint but also highlight where a comment reflected a more personal view, rather than that of the IJB as a whole. All comments would be anonymised.

The Chair proposed an amendment to the recommendations of the report to include the following additional recommendation:

“Agree that the draft submission will be circulated to voting members of the IJB for their approval. Any individual submissions which do not fall within this remit will be appended to the submission.”

This proposal was seconded by Councillor Kempson.

The vote on the recommendations, as amended, was taken by roll call:

Councillor Shamin Akhtar	Agreed
Dr Patricia Donald	Agreed
Councillor Neil Gilbert	Agreed
Ms Fiona Ireland	Agreed
Councillor Susan Kempson	Agreed
Mr P Murray	Agreed
Councillor Fiona O'Donnell	Agreed
Dr Richard Williams	Agreed

Decision

The IJB agreed to:

- i. Note the independent review of adult social care currently underway and agree to develop a formal IJB response for submission by the deadline of 6th November 2020;
- ii. Invite individual IJB members to provide comments to the Planning and Performance Team to inform a coordinated submission on behalf of the IJB;
- iii. that the draft submission will be circulated to voting members of the IJB for their approval. Any individual submissions which do not fall within this remit will be appended to the submission; and
- iv. Note that a future IJB development session will focus on the implications of the review for delegated services.

6. SOCIAL CARE SUSTAINABILITY PAYMENT

A SBAR report was submitted providing an update on the support offered to local social care providers in East Lothian through the Scottish Government scheme: National Principles for Sustainability and Remobilisation Payments to Social Care Providers.

Ms MacDonald informed members that the first and second tranche of funding had been provided by the Scottish Government and all adult service providers in East Lothian were notified on 24th June of the availability of sustainability funding, with regular reminders issued thereafter. To date 30 providers had responded and 16 had received payments. Of the remaining 14: 2 did not intend to claim; 7 were yet to submit a claim; 4 claims were under review; and 1 claim had been refused. A total of £750,477.20 had been paid in claims (£151,701.26 in additional costs and £598,775.92 in reduced occupancy). The process for claiming had been the subject of an internal audit review and the initial feedback was positive.

Ms MacDonald confirmed that the HSCP continued to work with local providers to support them and to encourage them to access available funding. However, she acknowledged that this would be a very difficult winter with significant additional pressures.

In response to questions, Ms MacDonald said that she expected the payment scheme to be extended but there had been no formal confirmation as yet.

Laura Kerr said that she was confident the Partnership had offered all possible support to care homes during the pandemic, including reminders and encouragement to apply for funding, and that they would continue to do so.

Decision

The IJB agreed to note the content of the report.

7. FINANCIAL UPDATE 2020/21

The Chief Finance Officer had submitted a report providing an update to the IJB on its year to date financial position in 2020/21 (month 5) and the updated projected year end outturn, undertaken by both the IJB partners.

The report also presented the IJB with a medium term rolling 5 year financial plan (2020/21 to 2024/25) for noting. This plan was prepared in a 'Business as Usual', pre-COVID, scenario and would be refined when clarity on future service provision was known.

Ms Flanagan presented the report summarising the position in the health and social care budgets and confirming that regular dialogue continued with the partners over the likely impact of mobilisation and remobilisation plans. She reported that as at the end of August 2020 the IJB was £1.8m overspent, with a projected year end position of £4.8m overspent. She advised that additional funding had been received by NGHS Lothian from the Scottish Government and she was currently working with colleagues to calculate the allocation for local HSCPs.

She then drew Members' attention to the rolling 5 year financial plan which had been prepared on a 'Business as Usual' footing but which would be refined to take account of the impact of COVID-19. She advised that Year 1 reflected recent projections but that this position would improve when additional COVID funding was included in the calculations. She highlighted the projected funding gaps in future years and reminded

members that Years 2-5 were based on indicative figures. She confirmed that the position would continue to be monitored closely and further updates would be provided.

Responding to questions, Ms Flanagan confirmed that the 5 year rolling plan included a 3% demographic uplift for East Lothian. She outlined the Scottish Government methodology for its allocation of additional COVID-19 funding to health boards and advised that a further funding allocation was likely, possibly in January 2021. She also provided further detail on some non-recurring costs which were included in the 5 year rolling plan.

Decision

The IJB agreed to:

- i. Note the financial forecasts provided by the partners;
- ii. Note the work ongoing to refine and understand these forecasts;
- iii. Note that additional COVID-19 funding had been received at Health Board level but was not yet allocated to partners so was not included in these positions;
- iv. Note ongoing uncertainties of COVID-19 and the remobilisation of services for both partners and the financial impact; and
- v. Note the pre-pandemic medium term rolling 5 year financial plan (202/21 to 2024/25), the ongoing work to refine this financial plan and the requirement for significant recovery actions to bring the plan back into balance.

8. CHIEF SOCIAL WORK OFFICER ANNUAL REPORT 2019/20

A report was submitted providing the IJB with the annual report of the Chief Social Work Officer (CSWO) for 2019/20 on the statutory work undertaken on the Council's behalf. The report's purpose was also to encourage debate and discussion around the IJB's Directions and the impact these were having on tackling the issues and challenges identified within the CSWO Annual Report.

Ms Tait advised members that the annual report had had to be pulled from the East Lothian Council meeting agenda on 27th October due to time constraints. It would be considered by Council at its December meeting but, in the meantime, it had been agreed that the report should be presented to the IJB, as planned.

Ms Tait summarised the report highlighting the role of the CSWO and the key areas of focus during 2019/20. She said the report provided an overview of activity within social work and social care in East Lothian and demonstrated the continuous improvement and service development work that services had been engaged in during 2019/20. She commended the efforts of her staff who, she said, had worked incredibly hard during the pandemic to continue to improve outcomes for the most vulnerable.

Ms Tait and her colleague, Trish Carlyle, responded to a question from the Chair on capacity. Ms Tait advised that additional funding had been made available for Mental Health Officer (MHO) roles and that although they were currently 50% under established, this was not unusual for this service. Ms Carlyle added that they had always taken a proactive approach to developing staff by offering training and seeking to fill MHO and other roles from within their service. They had also undertaken a review of roles and structures with a view to better aligning services to address priority areas.

Richard Williams said it was an excellent and comprehensive report but suggested that the inclusion of a section on sustainability and environmental impact might be of benefit. Ms Tait agreed to consider this for next year's report.

The Chair welcomed Dr Williams' suggestion and wondered if this might also be extended to the IJB's Directions. She proposed that a development session might be a helpful way of exploring this issue further.

Mr Murray said he had enjoyed the annual report and had found it very helpful. He welcomed the positive trajectory shown between referrals and allocation but questioned the apparent reduction in hours of care provided. He asked whether this was an area with potential for more integration.

Ms Kerr explained the relationship between referral, assessment and hours allocated. Reductions were not about saving money or capacity. Reviews were undertaken to understand how best to deliver care and to ensure that clients were having their needs met, whether through care hours or other means.

Ms Tait added that there remained confusion about the role of social work and social care and that efforts needed to be made to educate the public and clients as to the difference. This was especially important for integration; which should be based on a true understanding and respect for these roles.

Ms McNeill observed that at Area Partnership meetings food poverty and child poverty were major issues. She asked if social work had a role in monitoring this and whether sufficient capacity existed to support and direct agencies in the community.

Ms Tait said that East Lothian had areas of deprivation where the effects of poverty could be seen, however the role of social work in mitigating and preventing this was less clear. She said that the Children's Strategic Partnership was taking forward work on the Poverty Action Plan and while this sat within community partnerships rather than social work specifically, there was a role for her service in working with other agencies.

Ms Carlyle added that there was a strong interface between the Council and partnership agencies on these and other issues, such as shielding and test and protect.

Mr White said he had also enjoyed reading the report and he had noted the challenges in delivering child protection training. He referred to the online training platform which was expected soon and asked if this would be available to third sector colleagues.

Ms Tait confirmed that a commitment had been made to have the platform up and running by the middle of next year and that the intention was to make training available to third sector agencies.

Councillor Akhtar acknowledged the phenomenal amount of work done by staff in supporting the most vulnerable in the community. She noted that domestic abuse was an increasing challenge and asked what the IJB could do to support work on this matter.

Ms Tait acknowledged that while this was primarily a public protection responsibility there was a need for a more strategic approach to prevention and to encourage zero tolerance and engagement within communities. This work would include roles for services across the Council and other agencies.

The Chair thanked Ms Tait and her staff for all of their work during this very difficult time. She referred to the Care Inspectorate report on Abbey Care Home in North

Berwick and whether the work on residents exercising their democratic rights was being rolled out to other care homes.

Ms Tait said that the good practice demonstrated in the inspection of the Abbey Care Home would be shared all directly provided services. She added that there were limited opportunities to influence externally provided services but they would continue to do what they could to promote good practice.

Decision

The IJB agreed to note the contents of the report.

9. MINUTES OF OTHER GROUPS OF RELEVANCE TO THE IJB (FOR NOTING)

The IJB was invited to note, for information, the minutes of the meetings of the Audit & Risk Committee (22nd January and 10th March 2020) and of the Community Justice Partnership (between June 2019 and June 2020).

Decision

The IJB agreed to note the content of the minutes.

SUMMARY OF PROCEEDINGS – EXEMPT INFORMATION

The IJB unanimously agreed to exclude the public from the following business containing exempt information by virtue of Paragraph 5.9.1 of its Standing Orders (the Integration Joint Board is still in the process of developing proposals or its position on certain matters, and needs time for private deliberation).

Minutes of the IJB Meeting on 17th September (Private Session)

The IJB considered the minutes of the private session which took place at the IJB meeting on 17th September. The minutes were approved as a true record.