



**MINUTES OF THE MEETING OF THE
EAST LOTHIAN INTEGRATION JOINT BOARD
AUDIT & RISK COMMITTEE**

**TUESDAY 8 DECEMBER 2020
VIA DIGITAL MEETINGS SYSTEM**

Members Present:

Dr P Donald (Chair)
Ms F Ireland
Councillor S Kempson
Councillor F O'Donnell

Officers Present:

Mr S Allan
Ms C Flanagan
Mr I Gorman
Ms A MacDonald
Mr D Stainbank

Others Present:

Ms E Scoburgh, Audit Scotland

Clerk:

Ms F Currie

Apologies:

Mr D Binnie

Declarations of Interest:

None

1. MINUTES OF THE IJB AUDIT AND RISK COMMITTEE MEETING OF 15 SEPTEMBER 2020

The minutes of the East Lothian IJB Audit and Risk Committee meeting held on 15th September 2020 were approved.

2. MATTERS ARISING FROM THE MINUTES OF 15 SEPTEMBER

There were no matters arising.

3. RISK REGISTER

A report was submitted by the Chief Finance Officer laying out the IJB's risk register.

Claire Flanagan presented the register drawing attention to changes and updates added since the Committee's last meeting.

Councillor O'Donnell suggested including a risk related to EU Exit and Ms Flanagan agreed to revise the risk register for the next meeting.

Ms Flanagan also responded to a question from the Chair, acknowledging that many uncertainties remained around funding of COVID costs and that further actions would be required in this and next financial years. She added that the paper at Item 6 of the Agenda would provide further detail.

Decision

The Committee agreed to:

- i. Note the current risk register; and
- ii. Add EU Exit to the risk register.

4. INTERNAL AUDIT REPORT – SOCIAL CARE SUSTAINABILITY PAYMENTS

A report was submitted by the Chief Internal Auditor informing the Committee of the recently issued audit report on social care sustainability payments.

Duncan Stainbank presented the report outlining the main findings of the audit work carried out to review the adequacy and effectiveness of the arrangements in place for social care sustainability payments. He highlighted that the governance and controls were considered to be working very effectively and that no recommendations had been made as a result of the review.

Mr Stainbank responded to questions from members confirming that the processes in place should offer substantial assurance to the Committee that payments were being made appropriately and in line with Scottish Government guidance. However, he noted that further guidance had been issued in the past few days and that it would be necessary to review current arrangements to take account of any changes.

Mr Stainbank advised that the scope of the audit had not included reviewing providers' arrangements for dealing with staff absence or self-isolation, although the payments did include coverage of costs associated with this. Stuart Allan confirmed that the payments scheme included a staff support funding stream which helped providers to

cover the costs related to staff absence as a result of being ill with COVID-19 or self-isolating. Ms Flanagan added that the scheme covered the difference between Statutory Sick Pay and full pay.

In terms of good practice, Mr Allan pointed to the thorough record-keeping, the clear audit trail of decisions made and communicated to providers, and the challenging of claims where further evidence was required.

Ms Flanagan responded to further questions regarding the process for considering claims in relation to occupancy rates. Alison MacDonald added that there continued to be open and honest discussion with care home providers regarding occupancy rates and admissions but that there were no issues of concern at present.

The Chair thanked Mr Stainbank for his report and commended the thorough and transparent arrangements put in place to administer this scheme.

Decision

The Committee agreed to note the contents of the audit report.

5. INTERNAL AUDIT UPDATE OF EAST LoTHIAN COUNCIL AND NHS LoTHIAN 2020/21 AUDIT PLANS

A report was submitted by the Chief Internal Auditor informing the Committee of the recently issued audit reports relevant to IJB services reported to the East Lothian Council Audit & Governance Committee and the NHS Lothian Audit & Risk Committee.

Mr Stainbank presented the report outlining the scope and main findings of the recent audit work undertaken by the Internal Audit Teams from East Lothian Council and NHS Lothian. As a result of these reviews a grading of 'moderate assurance' had been provided on Residential and Non-Residential Charging (ELC) and 'substantial assurance' on Workforce Planning (NHS Lothian).

Fiona Ireland and the Chair raised concerns about the current process for debt write-off, whether delays in financial assessments were making the situation worse and whether arrangements were in line with guidance on COVID-19.

Mr Stainbank provided further clarification of the most recent guidance and how this was being applied, as well as the arrangements for debt management and the range of circumstances associated with these debts. He also pointed to the work of the Debt Management Group which had previously been successful in reducing the amount of overall debt.

Ms MacDonald informed members that not all of the parts of the process were within the remit of the Health & Social Care Partnership, e.g. financial assessments were the responsibility of East Lothian Council, and there were also legal issues associated with guardianship, etc. She said that when the Partnership took over this role the debt was £1.3m and this had since been reduced to £800,000; approximately half of which related to just 4 cases. While she acknowledged that further work was required and she welcomed the recommendations within the audit report, she stressed that the most important factor would always be to ensure that clients received the care that they needed.

The Chair thanked officers for their responses to questions and suggested that an update on progress in 6 months' time would offer some additional assurance.

Ms Ireland asked about the workforce planning audit; noting it had been done on a pan-Lothian basis, she asked if there were any issues specific to East Lothian. Mr Stainbank advised that there was a workforce planning audit on the internal audit plan for this year which would be specific to East Lothian and that this work may encourage progress with the recommendations from the pan-Lothian audit.

Councillor O'Donnell commented that the audit on Residential and Non-Residential Charging had been considered at a recent meeting of East Lothian Council's Audit & Governance Committee and it had been noted that the processes in place were fully compliant with guidance issued by CoSLA. She accepted that it was a complex process but emphasised the need to avoid driving vulnerable people into poverty through applying charges.

The Chair acknowledged the complexities of the process and the need to be compassionate while also applying appropriate checks and balances. She proposed that the recommendation in the report be amended to include a requirement to provide the Committee with an update on progress in 6 months' time. This motion was seconded by Councillor O'Donnell and agreed by members.

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

Ms Fiona Ireland	Agreed
Councillor Susan Kempson	Agreed
Councillor Fiona O'Donnell	Agreed
Dr Patricia Donald	Agreed

Decision

The Committee agreed unanimously to note the contents of the audit reports and to receive an update on progress in 6 months' time.

6. COVID-19 COSTS AND FUNDING 2020/21

A SBAR report was submitted by the Chief Finance Officer informing the Committee of the recently received confirmation of additional funding for 2020/21 to offset costs associated with COVID-19.

Ms Flanagan presented the report outlining how costs were recorded and returns submitted to the Scottish Government, how the funding would be allocated across services, and the projections for further costs and impact beyond the current financial year. She continued to liaise with the Scottish Government through a variety of financial forums and she reported that further funding allocations in January and March 2021 were expected to cover the remaining costs associated with COVID-19 in the current financial year.

Ms Flanagan responded to a question from Councillor O'Donnell regarding assurances on COVID-19 funding for 2021/22. She advised that work was continuing to understand the future impact of COVID-19 and of the remobilisation plans but there had been no indication from Government, as yet, over funding for 2021/22.

The Chair thanked Ms Flanagan for her report and for all of her efforts in managing this complex area.

Decision

The Committee agreed to note the contents of the report and the ongoing challenges for planning for a new normal.

7. NHS Lothian Recovery Update

A report was submitted by the Chief Finance Officer providing the Committee with the latest report from NHS Lothian on the status of the Recovery Programme.

Ms Flanagan presented the report advising members that NHS Lothian remained at Level 3 of the Scottish Government Escalation Framework and that the Recovery Programme had been put on hold in late March 2020 to allow services to focus on the emergency response to COVID-19. Both Ms MacDonald and Iain Gorman were involved in the regular Programme Board meetings and the IJB members had recently received a briefing on the scheduling of unscheduled care. She also reported that the programme had been reprioritised to learn from the pandemic and revise clinical models to support longer term recovery actions.

The Chair welcomed the update and the fact that all 4 Lothian IJBs and NHS Lothian were working together on issues such as scheduling of unscheduled care. She also noted the move to 'virtual' care in some areas and the need to monitor the impact of this change.

Ms Flanagan confirmed that NHS Lothian was keen to explore its digital vision and maintain momentum in this area. Further assessments of options and digital requirements were planned over the coming months.

The Chair asked members whether they wished to consider setting a timeframe for updates coming forward to the Committee. Ms Flanagan suggested that the new Director of Improvement be invited to attend a future Committee meeting and suggested 6 months as a possible timeframe.

Mr Gorman concurred with this suggestion, pointing out that this would allow time for progress in the vaccination programme, as well as other actions.

The Chair proposed that recommendation 2.2 be amended to include a requirement to provide the Committee with updates at its meeting in June 2021. This motion was seconded by Ms Ireland and agreed by members.

The vote on the recommendation 2.2, as amended, was taken by roll call:

Ms Fiona Ireland	Agreed
Councillor Susan Kempson	Agreed
Councillor Fiona O'Donnell	Agreed
Dr Patricia Donald	Agreed

Decision

The Committee unanimously agreed to:

- i. note that the role and nature of the programme has changed in the light of the COVID-19 pandemic; and
- ii. receive updates at the Committee's June meeting in relation to specific performance recovery issues.

Signed

.....

Dr Patricia Donald
Chair of the East Lothian IJB Audit and Risk Committee