



MINUTES OF THE MEETING OF THE EAST LoTHIAN INTEGRATION JOINT BOARD

THURSDAY 23 MARCH 2023
VIA DIGITAL MEETINGS SYSTEM

Voting Members Present:

Mr P Murray (Chair)
Councillor S Akhtar
Ms E Gordon
Councillor L Jardine
Councillor C McFarlane
Mr P Knight (*substitute)
Mr A McCann (*substitute)

Non-voting Members Present:

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| Mr D Binnie | Dr P Conaglen |
| Ms C Flanagan | Mr I Gorman |
| Dr C Mackintosh | Ms M McNeill |
| Mr T Miller | Ms J Tait |
| Dr J Hardman (*substitute) | Ms F Wilson |

Officers Present from NHS Lothian/East Lothian Council:

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| Ms L Berry | Mr P Currie |
| Mr J Jarvis | Mr M Kennedy |
| Ms L Kerr | Ms G Neil |
| Ms L Byrne | Mr G Whitehead |

Clerk:

Ms F Currie

Apologies:

Councillor L Bruce
Ms F Ireland*
Ms V de Souza*
Ms L Cowan
Dr J Turvill*

Declarations of Interest:

None

1. MINUTES OF THE MEETING OF THE EAST LoTHIAN IJB ON 23 FEBRUARY 2023 (FOR APPROVAL)

Councillor Jardine advised that her name had been omitted from the Sederunt.

Councillor Akhtar queried Item 4, asking if details of her question on the prescribing budget and money from the 'new medicine fund' could be included in the summary of this Item.

It was agreed that the Clerk would make amendments to the draft minutes and bring them back to the next meeting for approval.

2. MATTERS ARISING FROM THE MEETING ON 23RD FEBRUARY 2023

There were no matters arising.

3. CHAIR'S REPORT

Fiona Wilson updated members on an incident which had taken place in the port of Leith on the previous day. East Lothian Health & Social Care Partnership (HSCP) had been asked to be part of the wider NHS Lothian partnership response managing patient flow from acute sites to allow treatment of a number of casualties involved in the incident. She offered her thanks to all partner organisations involved in supporting the HSCP's response.

The Chair congratulated Iain Gorman on his new role as Director of DATCC which he would take up in the summer.

The Chair advised that, in line with the Integration Scheme, the Chairmanship of the IJB would shortly rotate and that Councillor Shamin Akhtar would be installed as the new Chair following approval at the Council's next meeting in April. This appointment would be confirmed with a report to the IJB's meeting in May.

4. BUDGET OFFERS FROM THE PARTNERS – 2023/24

A report was submitted by the Chief Finance Officer presenting the IJB with confirmation on the formal budget offer from East Lothian Council and the current indicative proposed budget offer from and principles for 2023/24 from NHS Lothian.

The report also set out the IJB's updated medium term financial plan projections and the financial recovery plans and assumptions to support the IJB balancing its budget in 2023/24. A position of the IJB reserves was included covering both general and earmarked reserves.

The report asked the IJB to agree that further financial recovery actions were required to balance the budget and should be brought back to the IJB for agreement.

Claire Flanagan presented the report. She outlined the budget offer from the Council pointing out that it not in line with the parameters set by Scottish Government as it did not include additionality. This coupled with the significant financial challenges facing the IJB, as reported in December 2022, meant that she was recommending that the IJB reject the Council's budget offer. She went on to advise members that NHS Lothian would meet in April to agree its offer to the IJB but that indicative figures had been

provided and were included in the report. This included a share of a 2% uplift in funding.

Ms Flanagan then outlined the amended medium term financial plans, based on the figures provided by the partners, and the anticipated funding gaps. She also outlined the reserves position confirming that, moving into 2023/24, the IJB would no longer hold any COVID funding. She explained the planned utilisation of the earmarked reserves and specific programmes of work set against the general reserves. She reminded members that, currently, the general reserves were sitting at the minimum recommended 2% target. She concluded by confirming that further actions would be required on recovery plans to balance the budget in 2023/24.

The Chair provided some additional context. He noted that many local authorities across Scotland were facing significant financial pressures and that East Lothian was not funded as well as some other local authorities which put them in an even more difficult position. He said it was important that members were appreciative of the broader picture and challenges facing local authorities. However, he emphasised the position outlined by Ms Flanagan and the significant challenges facing the IJB as a result of this funding gap, and which was exacerbated by the Council failing to pass on additionality from the Scottish Government.

Ms Flanagan responded to questions from Councillor Akhtar and Angus McCann. She advised that while she couldn't comment on the legalities, Scottish Government officials had been quite clear on the parameters within which budget offers should work. These parameters had been the same for the last 3 years had never not been followed. She was also aware that other local authorities were continuing to follow the guidance this year. She confirmed that the reduction in funding would be recurring and that this would be in addition to the Council's previous withdrawal of pay uplift monies at Q3 of the current financial year.

Councillor Akhtar commented on her own and her predecessors' history of advocating for communities in East Lothian and supporting projects such as the community hospital. She stated that East Lothian was one of the fastest growing local authority areas in the country, particularly in over 75 age group. She and her predecessors understood that housing and health were intertwined and this was reflected in the Council's Local Development Plan. She observed that when times were tough for the IJB and it was facing an overspend in 2016/17, the Council had provided additional support at a time when it was also struggling. This support was a constant during a period when Council budgets were being eroded and East Lothian was seeing reductions in funding across areas such as homelessness, early years and school grants; all vitally important areas relevant to the HSCP. She pointed out that in a recent Scottish parliament report East Lothian Council was identified as one of the worst funded local authorities in the country. She advised that the budget discussions this year had been the most challenging yet with the Council facing a funding gap of £18m. She urged members to see the bigger picture and not to lose sight of all the services needed to support the IJB's work. She asked members to take cognisance of all of these factors and accept the Council's budget offer.

The Chair recognised the support received from the Council over the years and that funding decisions had perhaps been easier in previous years than today. However, the IJB had delegated responsibilities and must do its best to deliver on these. While he appreciated the difficulties facing the Council, the IJB members were required to make decisions in relation to their responsibilities to the Board and taking into account the advice given by the Chief Finance Officer. Members needed to consider very carefully how best to support Ms Wilson and her team.

Councillor Jardine said that while she echoed the tenor of Councillor Akhtar's comments she did not support all of her remarks. She recognised that in the budget the Council had set there was pain across the board. However, she had concerns about the IJB refusing to accept the Council's offer when the offer from NHS Lothian was yet to be made and what impact this might have on the IJB's ongoing relationship with its partners. She said that there was a lot of shared purpose and understanding around the services for which the IJB had responsibility and any decision today may have implications for future requests for assistance, such as the one outlined in the paper later in the agenda.

The Chair said he was proud of the working relationship between the IJB and East Lothian Council. He did not think that having to take such a decision would dilute the ongoing partnership working ethos that the IJB relied upon.

Ms Flanagan responded to further questions from Elizabeth Gordon, John Hardman and Mr McCann on the implications of voting to reject the Council's budget offer. She advised that, in that event, she would make both partners aware and would then be guided by the steps set out in the Integration Scheme to seek further discussion with partners and consider if there was scope to do anything differently. She added that the Scottish Government set out clear guidance and budget parameters and she felt it was important to make the point, as a matter of principle, and then move into further discussions.

The Chair said it was important to consider the implications of any reduction in funding and its impact on recovery plans. Also, if there was a need to make greater savings, it would be important to convey to communities the impact of these reductions.

Councillor Akhtar added to her earlier statements saying that the Council continued to lobby the Scottish Government directly and through CoSLA regarding the impacts of population growth and underfunding on the Council's capital and revenue programmes. Councillors had invited Ministers to visit East Lothian but, to date, had received no response. She concluded that while there was a strong partnership and collaborative approach in East Lothian it was important to acknowledge the challenges being faced in all areas.

The Chair commented that NHS Lothian also had a funding gap and had been contesting the application of the NRAC formula with the Scottish Government for a decade.

A roll call vote was taken on recommendations 1 and 6. Recommendation 1 was approved by majority, 4:3. Recommendation 6 was approved unanimously.

Decision

The IJB agreed:

- i. The recommendation not to accept the IJB budget offer from East Lothian Council for 2023/24;
- ii. To note the principles in the indicative NHS Lothian budget with a formal offer following in due course;
- iii. To note the updated medium term financial plan projections;
- iv. To note the financial recovery plans and assumptions to support the IJB's financial balance for 2023/24;
- v. To note the IJB's provisional reserves position; and
- vi. The requirement for further financial recovery actions to mitigate the remaining £0.250m financial gap.

5. MEDICATION ASSISTED TREATMENT STANDARDS

The General Manager submitted a report updating the IJB regarding progress made to meet the target of full implementation of Medication Assisted Treatment (MAT) Standards 1-5 by April 2023.

Gillian Neil presented the report. She referred to the previous report presented to the IJB and updated members on progress made since last year on implementing the standards 1-5. She also provided some detail on progress towards implementation of standards 6-10. She advised that following an assessment by the Scottish Government team in February 2023 they had been assessed as 'green' for standards 1-5, on the understanding that data and experiential information collated up to April 2023 evidences that all standards are being achieved.

Ms Neil responded to a question from Councillor Akhtar on the sustainability of the work and the ability to get people on board. Ms Neil outlined the services in place from MELD and other partner organisations to encourage self-presentation, followed by triage and signposting to appropriate services and/or treatment as early as possible. She acknowledged that retention is an issue given the challenges faced by that particular client base and she outlined some examples of work undertaken to support clients through the process.

Mr McCann welcomed the report which demonstrated the success in implementing standards 1-5, as well as the positive assessment results on standards 6-10. He acknowledged the connections between the two groups of standards and that implementation of the later standards would support continued progress with the earlier standards.

The Chair recognised the achievements made, over and above what was required, and said he looked forward to further updates.

Decision

The IJB agreed to note progress to date and that ELHSCP had been assessed as on track to fully implement standards 1-5 by April 2023.

6. PROVISIONING FOR OLDER PEOPLE – COMMUNITY CAPACITY DEVELOPMENT OPTIONS

The Chief Officer had submitted a report requesting support to begin consultation on the options for developing community capacity.

Iain Gorman presented the report. He summarised the background and advised that a new round of community consultation was required to focus on the issues brought to light by the provisioning work to date. He outlined the areas for public discussion and the proposals for community engagement over a minimum period of 12 weeks. He concluded that a further report would be presented to the IJB after the summer outlining the options developed with communities.

Mr Gorman responded to a question from the Chair on the content of the consultation. He said that the consultation would present issues, rather than just solutions, and would use the work of the Change Board to frame these conversations. He outlined the process for developing options but said it would not be appropriate to discuss the detail of potential solutions until the community consultations had concluded a further report on proposed options was brought to the IJB.

In response to a question from Thomas Miller, Mr Gorman advised that a recent decision on Ward 5 had been taken to ensure service provision following COVID but he agreed to the need to consult further on future options.

Replying to further questions from Councillor Jardine and Councillor Akhtar on the community consultation, Mr Gorman set out the proposed timeframe as well as actions to ensure that this was a meaningful engagement process which would allow the communities to reach a view on the most appropriate local solutions. He accepted that the timeframe outlined was ambitious and he agreed to provide a brief update to the IJB's May meeting with further details on the consultation approach and content.

Laura Kerr responded to a question from Marilyn McNeill on engagement with Area Partnerships, confirming that they had been involved in previous conversations and that officers were working with stakeholder groups in each area, as well as the health & wellbeing subgroups of each Area Partnership.

Mr Gorman acknowledged the comments made by members and the need to ensure a balance between the risk of over-consultation and the need to fully engage communities on such important issues. He said that the process would be kept under review and that what might work for one ward area, may not work for another.

Decision

The IJB agreed, by roll call vote:

- i. To support the decision to begin consultation with all ward areas on their local challenges with regards to community provision and how these can be brought together to support all residents in East Lothian; and
- ii. To note this continues on the work of the Provision Change Board and the consultation which resulted in the recommendations to further develop intermediate care services.

7. ANALOGUE TO DIGITAL TRANSITION

The Chief Officer submitted a report presenting the IJB with an update on the context and background to the proposed analogue to digital transition. The report will detail local progress, resources required and potential risks for the IJB.

Guy Whitehead presented the report. He outlined the background to the change from analogue to digital services and advised members on the work undertake to date to switch clients to digital alarms. He advised that 1 January 2025 was the date set for analogue switch off and to ensure that all remaining clients were moved to digital by the end of 2024, would incur additional one-off capital costs, for equipment and installation, and some recurring costs related to an additional staff member to support the roll out. Mr Whitehead concluded that the consequences for clients were potentially grave if the switch-over work was not completed by the end of 2024.

Mr Flanagan advised members that, given the urgency of the work, the Strategic Planning Group had agreed a dual approach: a paper to the IJB; and an approach to East Lothian Council to see if this request could be included in their capital budget. Ms Flanagan advised that she would be discussing the request with the Council's Head of Finance and would keep members updated.

Councillor Akhtar asked if approaches had been made to other organisations, including a further approach to the Digital Office, for possible funding. She suggested that this be included as an additional recommendation in the report.

Ms Flanagan agreed that approaches could be made but cautioned that, based on previous experience, the answers were unlikely to be positive.

Councillor Jardine asked if the work on the switch-over had been left a little late given that the HSCP had known since 2017 that the change was coming. Lesley Berry explained that there had been an early agreement with Scottish Borders and then with Midlothian but failure to recruit to a shared project manager post had led to delays. East Lothian were now moving forward with an internal project manager. Also the purchase of equipment had been delayed as availability was limited and demand was high. These issues notwithstanding, East Lothian was further ahead than many other areas.

Mr McCann acknowledged that the work needed to be done and asked about the use of SIM enabled landlines. Mr Whitehead confirmed that SIM enabled devices would be used in the first instance but the team would consider using digital, where SIMs were not effective, e.g. rural areas.

Mr Binnie said this was a critical service and asked if consideration had been given to outsourcing the work or recovery of costs through charging. Mr Whitehead explained that they had looked at outsourcing but that it was more expensive and the HSCP already had an in-house team. This approach constituted the best value for money. Ms Kerr added that charging for services had to be agreed by East Lothian Council and she was not aware that they had considered charging for replacement alarms, although this may be an option in future.

The Chair moved to the recommendations in the report. He seconded the proposed amendment, put forward by Councillor Akhtar, to add an additional recommendation: "To identify other possible sources of funding, including writing to the Digital Office."

Decision

The IJB agreed, by roll call vote:

- i. Note the requirement to fully transition devices from analogue to digital by 2025;
- ii. Note the Chief Finance Officer formally approached East Lothian Council, to ascertain if any capital funding was available;
- iii. Support the principle and endorse the proposal to request utilisation of the general reserve to fund the initial one-off costs of transition; and
- iv. To try to identify other possible sources of funding, including writing to the Digital Office.

8. DISTRIBUTION OF EAST LOTHIAN STRATEGIC PLANNING GROUP MINUTES

A SBAR report was submitted inviting the IJB to consider whether Strategic Planning Group (SPG) minutes should be publicly available or distributed to SPG and IJB members only.

Paul Currie presented the report. He highlighted the background to the SPG and the outcome of a recent review of its Terms of Reference. He advised that the proceedings of SPG covered a range of strategic matters including developing and monitoring of the

Strategic Plan and associated Directions, and the production of the annual delivery plan and annual performance report. It was also a forum for first consideration of service review and transformation projects. Unlike the IJB, the SPG was not held in public and this reflected the sometimes confidential nature of its business. The SPG minutes were not routinely distributed to IJB members but were available on the website. However, the revision of the HSCP website had offered the opportunity to streamline procedures and it was proposed to cease publishing the SPG minutes on the website and instead, to circulate these minutes to IJB members. The SPG minutes would continue to be available to the public, if requested under Freedom of Information.

Mr Binnie agreed with circulating the minutes to IJB members but had concerns about the recommendation that SPG minutes would no longer be publicly available without an FOI request. He pointed out that one of the principles of devolution had been increased transparency and accessibility, in addition he was not aware of their ever having been an issue with the SPG minutes being published on the website. He felt it would be a retrograde step to remove the minutes from public view.

Councillor Akhtar said that the SPG was involved in really positive work which was of public interest and it was important to have openness and transparency. She suggested that officers should give further consideration to this recommendation.

Mr McCann said he was a member of the SPGs in Edinburgh and Midlothian. He questioned whether business confidentiality was sufficient justification and suggested that such items could be dealt with separately, in private session.

Ms Kerr reassured members that they were not trying to hide information but that the change related mainly to the ability to distribute minutes in a timely fashion. At present, the minutes were not being properly uploaded and made available through the website. She acknowledged that private items of business could be dealt with separately with public and private minutes. She agreed that officers could review this recommendation.

Mr McCann accepted the need for efficiency but noted that this was a different problems with a potentially different solution. Pointing to the arrangements in Edinburgh, he suggested that draft SPG minutes could be included in the IJB papers – where they would be noted as being in draft and subject to approval in due course - and could be made publicly available through this process.

Mr Binnie said he remained concerned about the ceasing the publication of SPG minutes on the website.

Councillor Akhtar suggested that officers come back with an alternative proposal for making the minutes publicly accessible.

The IJB considered the recommendations individually, by roll call vote. **Recommendation 1 of the report was not approved.** Following the vote, the Chair asked Ms Kerr to give further consideration to the issue of publication of the SPG minutes and bring back an alternative proposal to the IJB.

Decision

The IJB agreed, by roll call vote:

- ii. That IJB members should receive SPG minutes, with effect from the next SPG meeting.

Ms McNeill declared an interest in the next item, as the current Service User representative on the IJB. The Clerk advised her that, as the report recommendations were for noting, she did not need to leave the meeting.

9. PROCESS FOR APPOINTMENT OF IJB SERVICE USER REPRESENTATIVE

A SBAR report was submitted updating the IJB on arrangements for the appointment of a new Service User representative.

Mr Currie presented the report. He advised members that the term of office for the current Service User representative was ending and outlined progress with the appointment of a new representative. He drew attention to the closing date for applications and the planned date for interviews.

Jennifer Jarvis clarified that an advert had not been placed in the Courier but a press release had been issued.

The Chair thanked Ms McNeill for her unstinting loyalty and contributions to the IJB over her time as a non-voting member. He said she had offered helpful contributions and had diligently served those she was here to represent.

Ms McNeill said it had been a very rewarding experience.

Decision:

The IJB agreed to:

- i. Note the process underway to appoint to the soon to be vacant Service User Representative position; and
- ii. Note the intention to appoint to the independent sector representative and carer representative positions.

The Chair offer his thanks to Judith Tait and to Jon Turvill for their contributions to the IJB and he acknowledged the work of both to champion progress in their areas of social work and primary care. He wished them both well for the future.

Signed

Mr Peter Murray
Chair of the East Lothian Integration Joint Board