



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

**TUESDAY 18 JUNE 2024
VIA DIGITAL MEETINGS SYSTEM**

Committee Members Present:

Dr P Cantley
Councillor J Findlay
Ms E Gordon
Councillor L Jardine (Chair)
Mr D Binnie (NV)

Officers Present:

Mr D Hood, Head of Operations
Mr D King, Interim Chief Finance Officer
Mr D Stainbank, Chief Internal Auditor
Mr G Whitehead (for Item 3), Interim General Manager for Mental Health, Learning Disabilities and Substance Use Services
Ms F Wilson, Chief Officer

Other Attendees:

None

Clerk:

Mrs L Gillingwater

Apologies:

None

Declarations of Interest:

None

1. MINUTES OF THE EAST Lothian IJB Audit and Risk Committee Meeting of 12 March 2024

The minutes of the East Lothian IJB Audit and Risk Committee meeting held on 12 March 2024 were approved.

2. MATTERS ARISING FROM THE MINUTES OF 12 MARCH 2024

There were no matters arising.

3. AUDIT SCOTLAND – MENTAL HEALTH REPORT, SEPTEMBER 2023

A report was submitted presenting the findings of the Audit Scotland report on Adult Mental Health, published in September 2023.

Guy Whitehead presented the report, drawing the Committee's attention to the recommendations from the report. He provided an update on each of the recommendations. In summary, he advised: that the costs of implementing the Distress Brief Intervention (DBI) programme for 2024/25 would be met from the non-recurring underspend in the Joint Mental Health Team; that East Lothian had adopted a Collaborative Working for Immediate Care Mental Health (CWIC MH) model, costing £713k per annum, which was a good example of Best Value and was robust; that Psychology Services were well placed to deal with performance data requests from the Scottish Government and Public Health Scotland; that work was underway to improve data quality for service delivery; that a choice of remote or face-to-face services was already being offered to service users; and that the review of Change Boards would further improve collaboration between services, with a proposal for the creation of delivery groups to ensure accountability and assurance to the IJB.

Councillor Findlay questioned why the Scottish Government does not have sufficient oversight of adult mental health services. Mr Whitehead advised that Psychology services had good reporting processes, but other services were not quite so effective; a more consistent process for gathering data was required.

Councillor Findlay was concerned about provision of remote and face-to-face services in areas with poor broadband coverage or poor transport links. Mr Whitehead recognised that this was an issue and advised that work was underway with Volunteer Centre East Lothian (VCEL) to provide devices to allow people to connect and access services.

In response to a question from Ms Gordon on the current and future financial situation, Mr Whitehead assured the Committee that as regards the Distress Brief Intervention (DBI) Programme, funding was in place for 2024/25, but that the future funding situation was less clear. He noted that working with the Council had presented challenges, particularly in relation to the provision of housing.

Dr Cantley asked for further information on data collection. Mr Whitehead advised that he could provide the Committee with data collected through the Tableau system, such as data on provision of services and outcomes, and waiting times. He noted that outcome measures were in place to gauge the effectiveness of services.

Councillor Jardine asked for further information on the levels of data recorded for mental health services, observing that the levels were lower than in other areas. Mr Whitehead undertook to provide further information on this. Councillor Jardine also asked about the impact of COVID-19, austerity and the cost-of-living crisis on delivering on the Scottish Government's Mental Health Strategy. Mr Whitehead indicated that resources had been

more stretched since the pandemic, and that recruitment and retention had also been more challenging. However, services had been redesigned to make the most of the funding available. He pointed out that there was increasing demand on services, particularly within primary care, and that there was now more of a focus on intervention and working more closely with other services.

Dr Cantley asked for an update on benchmarking. Mr Whitehead advised that East Lothian had a different structure from other areas, so it was not easy to compare. However, he highlighted areas where East Lothian was performing well, such as intensive home treatment and secondary care mental health. He also reported that East Lothian was currently operating within its commissioned bed base, and that getting care packages arranged with the Council was going well.

Councillor Jardine asked about areas of the workplan that the IJB should be monitoring. Mr Hood made several suggestions about areas of work where members could get involved and noted that he would be happy to discuss this further with Councillor Jardine.

Decision

The Committee agreed to note the content of the Audit Scotland report.

4. RISK REGISTER UPDATE, Q1 2024/25

A report was submitted by the Chief Finance Officer providing an update to the IJB's risk register.

David King presented the quarterly update report, advising that risks and mitigation measures were reviewed regularly. He highlighted a number of changes since the report to the Committee for Q4, 2023/24, and drew particular attention to those risks identified as 'Very High' and 'High'. He suggested that the Committee may wish to consider additional risks and the level of detail provided in the Risk Register reports.

Ms Gordon raised questions in relation to Risks 5486 (Accurate financial forecasting) and 4108 (Impact of Partners' decisions). Mr King indicated that, as regards Risk 5486, Scottish Government funding was unlikely to cover the resources required or address the pressures on adult social care services. He noted that it was becoming increasingly difficult to forecast. On Risk 4108, Mr King advised that the position with reserves was included within the financial risks, noting that this risk now greater as the level of reserves has reduced. He undertook to look at this particular issue to ensure that the reserves position is highlighted in future. He accepted that the reserves position had been challenging for the Partners, stressing the importance of the relationship between the Partners and between the Partners and the IJB.

Councillor Findlay requested an update on the recruitment of the Chief Financial Officer (CFO). Ms Wilson explained that the preferred candidate for the role had chosen not to take up the position and that the role had been readvertised, with the inclusion of a film to attract candidates. She noted that Midlothian was also advertising for a CFO, and that it had been recognised that the two roles could not be combined. Mr King indicated that he would be happy to continue in the role until a new candidate is appointed.

Councillor Jardine asked about the inclusion of severe weather, climate change and net zero in the Risk Register. Mr King considered these risks to be operational rather than strategic but was happy to consider including them. Mr Hood added that the Business Continuity risk, which covered adverse weather, was included in the Health and Social Care Partnership (HSCP) Risk Register, and he would check if climate change was also included.

Mr Binnie questioned if cyber security should be considered as a separate risk. Mr King advised that this was included in the HSCP Risk Register. He suggested that this risk along with climate change could be incorporated into the risks regarding the Partners' ability to deliver the Strategic Plan. Mr Hood noted that issues such as cyber security featured on both the Council and NHS Risk Registers as a corporate risk but could also be added to the IJB Risk Register.

Decision

The Committee:

- i. Noted the updates made to the register since the last meeting; and
- ii. Agreed to consider additional risks in advance of the next update of the Risk Register.

5. BEST VALUE UPDATE

A report was submitted by the Interim Chief Finance Officer providing an update on the Committee's duty of Best Value and the mechanism for providing assurance on the delivery of that duty.

David King presented the quarterly update report, advising that the IJB was required to formally adopt a Best Value (BV) framework. He drew attention to the BV duties and themes, and set out the reporting process, as set out in Section 3.7 of the report. He suggested that the framework would be presented to the IJB meeting scheduled for 26 September 2024.

Councillor Jardine welcomed the report, commenting that it would provide the IJB with an opportunity to ensure that it was delivering Best Value and to make improvements as required.

The Chair moved to the roll call vote on the recommendation, which was approved unanimously.

Decision

The Committee agreed to adopt a Best Value Framework.

6. INTERNAL AUDIT ASSURANCE EXERCISE: ADULT SOCIAL CARE COMMISSIONED SERVICES FORECASTING

A report was submitted by the Chief Internal Auditor informing the Committee of the recent assurance exercise undertaken by the East Lothian Council Internal Audit Service covering Adult Social Care Commissioned Services Forecasting.

Duncan Stainbank presented the report, highlighting in particular the conclusions and recommendations following the exercise, as set out in Appendix 1 to the report (Sections 4 and 5).

In response to a question from Ms Gordon, Mr Hood advised that addressing the recommendations would be a priority but noting that no new resources would be provided to deliver this, so there was an element of risk. However, he assured the Committee that things were going in the right direction and that this work would result in improved access

to information. Mr Stainbank suggested that this matter could be added to the Risk Register.

Decision

The Committee agreed to note the contents of the assurance report covering Adult Social Care Commissioned Services Forecasting.

7. EAST LOTHIAN INTEGRATION JOINT BOARD DRAFT ANNUAL GOVERNANCE STATEMENT 2023/24

A report was submitted by the Chief Internal Auditor presenting the draft Annual Governance Statement for 2023/24 for the East Lothian Integration Joint Board (ELIJB), which explains the ELIJB's governance arrangements and system of internal control and reports on their effectiveness for the year ended 31 March 2024.

Duncan Stainbank presented the report, drawing particular attention to the sections on areas for improvement and opinion on assurance.

Councillor Findlay asked a question in relation to whistleblowing, remarking that he did not have the same confidence in the NHS's Whistleblowing Policy as he had in that of the Council. Ms Wilson advised that the NHS's policy was Scotland-wide, and that all staff employed by the NHS had to follow that policy, just as Council-employed staff had to follow the Council's policy. She was not aware of any concerns being raised in relation to the NHS policy.

Mr Binnie asked which policy staff employed by the NHS would follow. Ms Wilson confirmed that they would follow the terms and conditions aligned to the relevant partner organisation.

Councillor Findlay commented that although he was not completely familiar with the NHS policy, there had been negative reports from other NHS areas in relation to whistleblowing. Mr Hood offered to share the NHS policy and board reports, which would demonstrate that good governance processes are in place. Ms Wilson added that she would also give the Committee access to the 'Speak Up' film, which had been produced to give staff the confidence to raise issues. Ms Gordon also mentioned that NHS Lothian has a Whistleblowing Champion, and that the procedures for whistleblowing are robust.

On the draft accounts, Mr King advised that these would be reported to the IJB at its meeting on 27 June and would be submitted to the Committee once audited.

The Chair moved to a roll call vote and the recommendation was approved unanimously.

Decision

The Committee approved the Annual Governance Statement for inclusion in the draft Annual Accounts 2023/24.

8. ANNUAL INTERNAL AUDIT OPINION AND REPORT 2023/24

A report was submitted by the Chief Internal Auditor advising that the Public Sector Internal Audit Standards (PSIAS) require that Internal Audit prepares an annual internal audit opinion and report that can be used by the Integration Joint Board (IJB) to inform its governance statement, and to inform the Committee of the internal audit work undertaken in 2023/24 and to provide an opinion on the overall adequacy and

effectiveness of the IJB's framework of governance, risk management and control for the year ended 31 March 2024.

Duncan Stainbank presented the report, pointing out the areas for improvement (as set out in Section 3.14 of the report) and the opinion, that is, subject to addressing those areas for improvement, reasonable assurance could be placed on the overall adequacy and effectiveness of the IJB's framework of governance, risk management and control for the year to 31 March 2024.

Decision

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

9. INTERNAL AUDIT RECOMMENDATIONS FOLLOW-UP

A report was submitted by the Chief Internal Auditor informing the Committee of the Internal Audit work undertaken during 2023/24 to follow up on the recommendations made in Internal Audit work completed during 2022/23.

Duncan Stainbank presented the report, outlining the audit work undertaken, as set out in Appendix 1 to the report. He noted that quarterly reports would be presented to the Committee.

In response to a question from Councillor Jardine as regards the extension to the target date for addressing the recommendation on the CIPFA FM Code, Mr Stainbank explained that this was a once-a-year element and that due to the timing of budget rounds, the next opportunity to complete this work would be February 2025 (or later, depending on approval of the budget).

Decision

The Committee agreed to note the follow-up work undertaken and the revised timescales for the recommendations that have not yet been completed.

Signed:

Councillor Lyn Jardine
Chair of the East Lothian IJB Audit and Risk Committee