



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

**THURSDAY 24 OCTOBER 2024
VIA DIGITAL MEETINGS SYSTEM**

Voting Members Present:

Councillor S Akhtar (Chair)
Mr J Blazeby
Dr P Cantley
Mr A Cogan
Mr M Connor (*substitute)
Councillor L Jardine
Councillor C McFarlane
Councillor G McGuire (*substitute)

Non-voting Members Present:

Ms A Allan	Mr D Binnie
Mr D Bradley	Ms L Byrne
Ms S Gossner	Dr J Hardman
Mr D Hood	Dr K Kasengele
Mr D King	Ms C MacDonald
Dr C Mackintosh	Ms M McNeill
Ms F Wilson	

Present from NHS Lothian/East Lothian Council:

Ms L Berry	Ms H Burnett
Mr P Currie	Ms J Jarvis
Ms C Johnston	Ms L Kerr
Mr A Main	Mr N Munro
Ms G Neil	Ms I Nisbet
Ms C Rodgers	

Clerk:

Ms F Currie

Apologies:

Councillor J Findlay*
Ms E Gordon*

Declarations of Interest:

None

The Chair welcomed everyone to the meeting, including observers from NHS Lothian. She advised that the meeting was being recorded and would be made available as a webcast in order to allow the public access to the democratic process in East Lothian. East Lothian Council and NHS Lothian were the data controllers under the Data Protection Act 2018. Data collected as part of the recording would be retained in accordance with the Council and Health Board's policies on record retention. The webcast of this meeting would be publicly available for up to six months.

1. MINUTES OF THE MEETINGS OF THE EAST LOTHIAN IJB ON 26 SEPTEMBER 2024 (FOR APPROVAL)

The minutes of the IJB meeting on 26 September 2024 were approved.

2. MATTERS ARISING FROM THE MINUTES OF 26 SEPTEMBER 2024

The following matters arising from the minutes on 26 September were discussed:

Item 5 (Page 4) – the Chair asked for an update on partnership working within East Lothian. Fiona Wilson said she was keen to provide more detailed information to members on the work being undertaken on unscheduled care, and she remained committed to the idea of a development session on this issue.

3. 2024/25 FINANCE UPDATE AND FURTHER REVISION TO THE IJB'S FIVE YEAR FINANCIAL PLAN

A report was submitted by the Interim Chief Finance Officer providing an update to the IJB's financial out-turn position for 2024/25. It also provided a further high-level review of the IJB's five-year financial plan.

David King presented the report highlighting some of the key points. He pointed to the forecast overspend in the current year, a series of significant pressures in 2025/26 and the need to work towards a balanced budget for 2025/26 to ensure the IJB would avoid a repeat of the current year situation. He said that the forecast 2024/25 year-end overspend was £7.4 million and that the deterioration in this forecast was largely as a result of increased pressure in the prescribing budget; a situation that was reflected across Scotland.

He reminded members of the requirement for the IJB to breakeven at the year end. He pointed to the Integration Scheme and its processes for the management of finances, The Chief Officer was responsible for ensuring a balanced year end position through the development and implementation of recovery actions and if these were unable to resolve matters there would have to be further discussion with the IJB's partners and utilisation of the IJB's reserves. He referred to several recent workshops for members where these issues had been discussed and advised that the IJB now needed clear plans to resolve the overspend within 2024/25 and achieve a balanced budget position for 2025/26.

Mr King also set out in more detail the issues around the utilisation of the IJB's reserves to support the partners reminding members that IJB could not hold reserves when it had an overspend. This meant that with the forecast overspend of £7.4 million, the IJB must use its reserves of £3 million to mitigate against that overspend. He referred to previous conversations on previous budgets and to the use of reserves in 2023/24 to off-set the year-end position. He stated that the IJB was obliged to support its partners in the same

way they were obliged to support the IJB. Therefore, he was proposing the use of the IJB's reserves of £3 million to off-set the current health pressures. He explained that this would have some financial benefit to the IJB as NHS Lothian had confirmed that if it achieved a breakeven position before the year-end, it would support the gap by returning the funds to the IJB. He added that this use of reserves would also allow the IJB to and the partners to continue to plan for the current and future financial years.

In the meantime, it was necessary to move forward with recovery plans as soon as possible to address the 2024/25 position and this would be discussed in detail at the upcoming Strategic Planning Group (SPG). He also pointed to the uncertainty around the forthcoming UK and Scottish Government budget announcements and ongoing discussion around funding of pay awards. While there could well be money coming as a result of the UK Government budget, there would be no additional money to help manage existing operational pressures. He reiterated NHS Lothian's commitment to return the £3 million of reserves funding should their financial position improve.

Responding to a question from Councillor Jardine, Mr King explained that the IJB's relationship with its partners, and the partners relationship with each other, was key to this process. He said that there was continuing dialogues taking place in the background between the Chief officer, Chief Finance Officer and Chair and the partners. In addition, the partners had provided significant amounts of information to help inform decision-making. He accepted that he relied on them providing him with accurate information, however, he trusted the partners and he hoped that the IJB would have trust in them too.

He replied to a question from Marilyn McNeill acknowledging that there was a risk that any of the recovery actions could become a financial reaction to a strategic problem, and it would be important to continue dialogue with the partners to avoid compromising the delivery of the IJB's strategic plan.

Councillor McFarlane expressed concern about a potential conflict between her role on the IJB and her role as older people's champion when it came to agreeing recovery actions. Mr King acknowledged this concern, however, he pointed out that members were being asked to agree to the development of recovery actions and that these actions would not themselves be formally agreed until the IJB had had the chance to review them.

Ms Wilson stated that while recovery actions may impact on older people, and the population as a whole in East Lothian, part of the process would be to ensure that the any risks were mitigated and that the IJB was still doing its best for people across the county. She recognised the potential conflict between ensuring service delivery and making savings and said that this was also a key issue for the leadership team.

Jonathan Blazeby asked about statutory services and how the IJB could avoid recovery plans impinging on these duties. Mr King and Ms Wilson advised that they had met with their legal team about statutory responsibilities and further advice would be sought. There was no doubt that some recovery actions would impact on these services, and it would be important to understand how to mitigate that risk. In the meantime, they were keen to ensure scrutiny and transparency around budgets, recovery plans and forward planning to support the IJB's decision-making.

Mr Blazeby said he would support progressing development of recovery actions as soon as possible, as it was already quite far on in the current financial year. He emphasised the need for the IJB to be given the right information to make decisions, hopefully within the next couple of months.

The Chair asked about the timing of the decision-making on use of reserves, given the uncertainty around forthcoming budget announcements from the UK and Scottish

Governments, and the year-end positions for both NHS Lothian and East Lothian Council. Mr King acknowledged this but said that it was essential to make plans as soon as possible and these could be amended if the financial situation changed significantly in the coming months. He reiterated that NHS Lothian had indicated that the funds would be returned to the IJB if the health board's financial position improved before the year end.

The Chair said she remained concerned about the current level of uncertainty and how any future budget announcements would impact on the IJB's finances. She stated that, in her view, agreeing to the use of reserves was not the right decision to make at this time when the year-end position for both the Council and NHS Lothian remained unclear and key government budget decisions were pending. For those reasons, she would not be supporting the recommendation for the use of reserves.

The Chair moved to a roll call vote and the recommendations were approved by a majority vote of 5:3. The Chair, Councillor McFarlane and Councillor McGuire voted against the recommendations.

Decision

The IJB agreed to:

- i. Note the update 2024/25 financial out-turn forecast.
- ii. Note the further actions required to update the IJB's five-year financial plan.
- iii. Support the further development of recovery actions, both for the current financial year and to work towards a balanced budget proposal for 2025/26.
- iv. Agree the proposal to utilise the IJB's remaining general reserve – that is to support the projected overspend in the IJB's health budget.
- v. Note the proposed timescales for the development of a balanced budget proposal for 2025/26.

4. CHAIR'S REPORT

The Chair provided a report to members on number of matters:

Staff Engagement – the Chair said it was important to recognise the efforts of social care, social work and healthcare staff who were working to get the best outcomes for service users in very challenging circumstances.

The Chair also referred to the growth in population within East Lothian and the continuing efforts to raise awareness within a range of forums of the impacts and challenges this brought. She also reported on recent meetings of the NHS Lothian Board, the IJB Chairs and Vice Chairs Group, her own meetings with individual IJB members and community engagement events taking place on health & social care issues.

In response to a question from Councillor Jardine, the Chair agreed to provide a written report for future meetings. She also encouraged members to contact her between meetings if they had any questions.

5. INTEGRATION JOINT BOARD MEMBER CODE OF CONDUCT AND RESPONSIBILITIES UNDER THE ETHICAL STANDARDS FRAMEWORK

A report was submitted by the Chief Officer providing an annual reminder to established East Lothian Integration Joint Board (IJB) members and to inform new members of the Standards Commission for Scotland (SCS) model Code of Conduct, the associated advice note for IJB members and the Ethical Standards Framework.

Paul Currie gave a short presentation as part of an annual refresh for existing members and informing new members of their responsibilities in relation to the Code and the Standards Framework. He outlined the nine principles of public life, the role of the Standards Officer, the difference between the strategic role of the IJB and the operational role of the HSCP and drew attention to the advice note for IJB members provided by the Scottish Standards Commission. He also reminded members of the requirement to read and sign the revised Code of Conduct, if they had not already done so, and to complete and periodically update a Register of Interests which was held by the Clerk. He encouraged members to review the material and weblinks contained in the report which would provide useful explanations of their responsibilities under the Code.

Responding to a question from Ms McNeill, Ms Wilson acknowledged that there may be occasions when voting or non-voting members faced a potential conflict over their dual roles and their adherence to Standards may be scrutinised. She encouraged members to get in touch if they required advice and added that today's presentation and annual refresh was an opportunity for the IJB members to demonstrate their commitment to these responsibilities.

The Clerk informed members that she would be in touch shortly regarding the annual update of their Registers of Interests.

Mr Blazeby said he found the documents to be very clear with helpful, relevant examples and that the presentation on members' roles was also beneficial.

Councillor Jardine said that she had found the standards information to be a useful basis for explaining to others her role in IJB decision-making.

The Chair moved to a roll call vote and the recommendations were approved unanimously.

Decision

The IJB agreed to:

- i. Note the requirement for all IJBs to have a Code of Conduct to maintain compliance with the Ethical Standards in Public Life etc. (Scotland) Act 2000.
- ii. Note that the East Lothian IJB Code was revised and adopted in 2022 and that members were last updated on the Code's requirement in October 2023.
- iii. Note the Chief Officer's role as Standards Officer for the IJB and the position's reporting, support and advisory duties to Board members.
- iv. Note the requirements placed on all IJB members by the Code of Conduct and advice notes issued by the Standards Commission for Scotland
- v. Ensure that individual members of East Lothian IJB have signed the Code of Conduct and update and maintain their entry in the Register of Interests held by the East Lothian Council Committee Clerks.

6. IJB RESPONSES IN THE LOTHIAN AREA TO THE NATIONAL CARE SERVICE CONSULTATION – REPORT BY THE CHIEF OFFICER

A report was submitted by the Chief Officer informing East Lothian Integration Joint Board (IJB) members of the responses of the Lothian IJBs to the recent consultation regarding proposals for the establishment of a National Care Service (NCS).

Mr Currie presented the report which he said was an opportunity to bring back to IJB members some reflections on the responses from other IJBs within the NHS Lothian area. The report also contained a comparison between the East Lothian IJB responses and that of its neighbouring IJBs. He advised members that there was still no indication of when a report on the consultation responses would be published by the Scottish Government, but he would bring it to members' attention when it became available.

The Chair responded to a question from Andrew Cogan on CoSLA's response indicating that the body's Health & Social Care Board had raised concerns that the level of engagement between the Government and other organisations was not as it should have been.

Maureen Allan noted that the Scottish Greens party conference was taking place in the coming days and the Scottish Government could struggle to progress their proposals for the NCS if the Greens decided to withdraw their support.

The Chair felt that it was more important to focus on the work already being done, than on introducing a new NCS.

Councillor Jardine agreed with the need to highlight and encourage a focus on the principles around which the NCS was first proposed: to create services that would do their best for people and have people at centre of things. She said it was also important to understand how CoSLA's position would be reflected in the overall evaluation of the consultation responses.

The Chair referred to community engagement events being run by different organisations on the NCS and she asked members to share with colleagues any information they may have on events taking place.

Decision

The IJB agreed to:

- i. Note the scale of the response from across Scotland and from many statutory, non-statutory and voluntary sector bodies and others to the consultation.
- ii. Note the East Lothian, Midlothian, West Lothian and Edinburgh summary responses to the consultation and the issues raised.
- iii. Note that the Health, Social Care and Sport Committee will produce a report on the consultation in due course. When available, this will be shared with IJB members.

7. PROPOSED MUSSELBURGH DAY CENTRE FOR OLDER PEOPLE (FINANCIAL RECOVERY PROGRAMME)

A report was submitted by the Chief Officer updating the Integration Joint Board on the proposed course of action regarding the development of a Day Centre for Older People in the Musselburgh, Wallyford & Whitecraig areas.

Christine Johnston presented the report outlining the proposal to pause development of a Day Centre for Older People in Musselburgh due to the current financial challenges and the requirement for the IJB to make savings in the current year. She reminded members that the IJB had agreed to the development of a Day Centre at its meeting in October 2023. Musselburgh was the only Ward without day centre provision for older adults with complex needs and there was a high level of unmet need within the area. In addition, the development of a Day Centre was a key action in the East Lothian Dementia Strategy. Ms Johnston explained that arrangements had reached the commissioning stage and that the two providers who had expressed an interest had been advised of the pause. An Integrated Impact Assessment had been conducted and had considered the complete cessation of the project. However, due to the significant impact likely to result from this, the decision had been taken to pause the proposals subject to a wider review of day centre provision in East Lothian.

The members debated the report in some detail and officers responded to a range of questions on the evidence used in the decision-making, the scope of the forthcoming review and the need for transparency with the community.

Ms McNeill sought reassurance that decisions would not be taken on a purely financial basis but would consider the wider benefits provided by day centre services. She also wanted to see this as part of the forthcoming review.

Ms Wilson explained the context for the decision and said that the financial situation meant there was a need to review the service. She agreed that there would be impacts on people; but reiterated that balancing potential benefits and needs with funding and risk meant that there were no easy decisions.

Patricia Cantley said that it was desperately sad, but she accepted Ms Wilson's comments. She was also reassured that this was a pause and not a cessation. She suggested that these issues needed to continue to be brought to the attention of national politicians.

David Binnie stated that carers would be greatly affected by this and should be considered as part of decision-making going forward. He also asked whether the decision that carers were no longer entitled to the COVID vaccine was another money saving action.

Ms Wilson advised that there had been a change to the guidance this year regarding COVID vaccinations. Ms Johnston confirmed that the negative impact on carers would be looked at as part of the planned review. Laura Kerr added that a number of people had been excluded from the latest guidance on COVID vaccinations. She also offered reassurance that the proposed pause in the day centre was to ensure they had all of the information necessary to make a decision, and this would be brought back to the IJB within the next few months.

Mr Blazeby said that while it was good to know the timing for a future decision, he was having difficulty understanding how things had got to this point less than two years into the project and what difference the proposed saving would make to the overall financial position. Ms Kerr outlined the timeline and advised that this decision would result in an

underspend in the day centre budget at year-end which would go towards reconciling the gap in the social care position.

Ms Allan sought further clarity on the scope of the review given that in other areas of East Lothian contracts had only recently been awarded for day centre services. She added that it was important to balance the likely saving against the effect on the service itself.

Ms Kerr said the review would be looking at the provision of day support for older people across East Lothian. Day centres were a major part of that, but not the only part. It would be important to engage with them on the financial challenges and how to deliver services differently; and to consider whether the current model was delivering best value before going ahead and commissioning another day centre. They would work with contracted day centres and involve them in the discussion, along with other stakeholders. She hoped to bring a further report back to the IJB early in the new year.

In reply to a question from the Chair, Ms Kerr clarified that this was a review of the provision of day support for older people in East Lothian, and day centres were a major part of that. The review would consider whether the current provision offered best value and what more could be done, or done differently, to make savings and deliver services more efficiently.

The Chair sought reassurance that the review would be looking at a whole system approach and would recognise that it played a very important role in keeping people out of hospital. She was also keen to ensure that there would be no reduction in day centre services or day services for older people across the county. Ms Kerr confirmed that they would involve and take full account of all stakeholders but that there may be hard decisions to make, and she could not make any promises at this stage.

Ms Wilson reminded members that the recommendation in the report was to pause the day centre for Musselburgh and that any further decisions would depend on the outcome of the review. She also highlighted the challenging financial position and the likelihood of difficult decisions ahead.

Mr Blazeby commented that the scope of the review would be absolutely critical, and it was important not to prejudge the outcome in any way. He agreed with Ms Wilson that in such unusual times, it was important to be as transparent as possible to make the review worthwhile.

Ms McNeill stated that, to date, the quality of engagement with the community on the consultation for older people's services had been excellent, but she was conscious that this work would not conclude until December 2024. She wondered how realistic it was to ask the community for further engagement when there was no clarity on what was being considered. She also said that, when things were clearer, there needed to be more communication on the type of options that may be coming forward.

Ms Wilson acknowledged the point and said that they were aiming to be as transparent as possible around budgets and the need to make difficult decisions. Ms Kerr advised that the new Engagement Officer was now in post which would help with future work. In the meantime, she was grateful for the level of input from the community and that they remained engaged in the process. She conceded that while this most recent development was disheartening, it was important to focus on how best to deliver the service in the future.

The Chair agreed that members would all feel very disappointed about having to pause these plans. She welcomed the reassurance that there would be a thorough review and the matter would be brought back to the IJB with further recommendations. She said

there was a huge amount of social capital in taking forward these projects and working in partnership with communities. She emphasised the need to raise awareness of the day services' role in the bigger picture, as well as the benefits for local communities.

The Chair moved to a roll call vote and the recommendations were approved unanimously.

Decision

The IJB agreed that due to the financial requirement on East Lothian IJB to identify £6.4 million in savings, the development of the Musselburgh day centre would pause, pending a wider review of day care provision within health and social care. The budget of £144k would contribute to the 24/25 financial recovery programme.

8. PLANNING OLDER PEOPLE'S SERVICES: TIMELINE UPDATE

A report was submitted by the Chief Officer providing members with an update related to the *Planning Older People's Services* project with particular reference to the ongoing public engagement and consultation phase.

Andrew Main presented the report advising members that the project was currently in the midst of a 12-week public engagement phase which was due to conclude in early December 2024. To date 202 pieces of feedback had been received and he hoped to build on this by the end of the consultation. He acknowledged that financial recovery challenges had impacted on the scope of the project, and he was keen to seek stakeholder views on this as well. He asked IJB members to raise awareness of the ongoing consultation process to encourage as much feedback as possible. He urged the IJB members to keep this work in mind when setting future financial priorities and to ensure that key stakeholders continued to be involved in the IJB's main workstreams.

David Hood responded to a question from Councillor Jardine on polypharmacy and maximising the opportunities for patients and for savings in this area. John Hardman said that this was part of day-to-day practice for pharmacists embedded in GP practices. However, finding the capacity to support the more strategic work was a challenge.

The Chair welcomed the report and encouraged the circulation of the consultation dates and information, to ensure as broad a spectrum of views as possible.

Decision

The IJB agreed to note the content of the report.

Signed

Councillor Shamin Akhtar
Chair of the East Lothian Integration Joint Board