

Integration Joint Board

Date of Meeting: 25 November 2020

Title of Report: Review of the Health and Social Care Integration Scheme

Presented by: Douglas Hendry, IJB Standards Officer

The Integration Joint Board is asked to:

- Note the revised Integration Scheme (Appendix 1), which has been further updated to take account of feedback received from the SG as part of their review.
- Note that a similar report is being tabled at the NHS Highland Board on 24th November for their approval.
- Note that the Chief Executives of the two parent bodies will jointly submit the further revised Scheme to the Scottish Government for final sign off

1. EXECUTIVE SUMMARY

- 1.1 The Business Continuity Committee and NHS Highland Board, at their meetings held on 16th April and 26th March 2020 respectively, approved revisions made to the Health and Social Care Integration Scheme following a 6 week joint consultation process, which ran from 9th December 2019 to 17 January 2020 (the outcome of this exercise was reported to the IJB on 25th March 2020).
- 1.2 The revised Scheme was subsequently submitted to the Scottish Government for their review. This report provides details of the changes proposed by the SG and provides a copy of the revised Scheme (attached at appendix 1), which has been updated accordingly.

2. INTRODUCTION

- 2.1 The legal requirement to complete a review of an Integration Scheme is set out in Section 44 of the Public Bodies (Joint Working) (Scotland) Act 2014 (the Act). The Scheme must be reviewed each subsequent period of 5 years beginning with the day on which the Scheme was approved, in the case of Argyll and Bute, 27 June 2015. On this basis the review of the Scheme in Argyll and Bute was required by law to be completed by 27 June 2020. The statutory responsibility to review the Scheme sits with the Board of NHS Highland and Argyll and Bute Council.

3. DETAIL OF REPORT

- 3.1 Following a joint consultation exercise, which ran from 9th December 2019 to 17 January 2020, a number of revisions were made to the Scheme to take account of the feedback received and approved by NHS Highland Board and the Business Continuity Committee at their respective meetings in March and April this year.
- 3.2 It was the intention to submit the revised Scheme to Scottish Ministers in April 2020 for review, but due to Covid-19 the SG advised the parent bodies that due to other priorities they did not wish to receive any updated Integration Schemes until the situation had subsided. On this basis, the Scheme was not submitted to the SG until July 2020.
- 3.3 The SG have now completed their review of the Argyll and Bute Integration Scheme and provided both verbal and written feedback on 7th and 28th October 2020 respectively. The Scheme has been further updated to take account of the SG comments, which are summarised below and highlighted in appendix 1. The majority of the revisions are technical in nature and do not alter anything of substance or policy.
- i. Pages 37 – 40 – Health Board functions delegated by virtue of s.1(6) and s.1(8) of the 2014 Act listed separately to provide clarity on those functions that “can” and “must” be delegated.
 - ii. Page 38 – year changed from 2004 to 2018 in respect of The National Health Service (Primary Medical Services Section 17C Agreements) (Scotland) Regulations 2004.
 - iii. Page 49 – title of the Social Care (Self-directed Support) (Scotland) Act 2013 has been written in full.
 - iv. Page 52 – The column header “enactment conferring function” updated to “functions conferred by virtue of enactments”.
 - v. Page 53 – section 19 (Local authority plans for services for children) of The Children (Scotland) Act 1995 removed as these functions are repealed from the Public Bodies (Joint Working) (Scotland) Act 2014.
 - vi. Page 54 – reference to section 24 and 24A of The Children (Scotland) Act 1995 removed as these functions are repealed and have been removed from the 2014 Act. This does not create a gap in integration planning as both the relevant new functions for carer planning (sections 6 and 12 of the Carer’s (Scotland) Act 2016) are included in the Scheme.
 - vii. Page 55 – Section 4 (local authority plan) of the Adoption and Children (Scotland) Act 2007 removed as these functions are repealed from the Public Bodies (Joint Working) (Scotland) Act 2014.
- 3.4 With regard to (v) and (vii) above the SG have advised that a legislative piece of work is being carried out to remove the repealed legislation from the Public Bodies (Joint Working) (Scotland) Act 2014 Schedule. This should not be an onerous piece of work however, due to the pressures of Covid and Brexit it has been agreed that the SG shall delay carrying out this work until the next

parliamentary term, and look to secure an appropriate legislative vehicle at the earliest opportunity to make the amendment.

- 3.5 In light of the further changes, the Scheme has been submitted to meetings of the NHS Highland Board scheduled for 24th November and Council on 26th November 2020 to obtain their approval. If agreeable, both parent bodies will then arrange for the revised Scheme to be jointly submitted to Scottish Ministers for final sign off.
- 3.6 Thereafter, the Council and NHS Highland will arrange for the final Integration Scheme to be published as soon as practicable after it takes effect.

4 RELEVANT DATA AND INDICATORS

- 4.1 The legal requirement to undertake a quinquennial review of the Integration Scheme is set out in section 44(5) of the Public Bodies (Joint Working) (Scotland) Act 2014.

5 CONTRIBUTION TO STRATEGIC PRIORITIES

- 5.1 The Scheme and Standing Orders provide the key governance documents for the IJB that support the delivery of the work of the Health and Social Care Partnership.

6 GOVERNANCE IMPLICATIONS

6.1 Financial Impact

No impact arising from this report.

6.2.1 Staff Governance

No impact arising from this report.

6.2.2 Clinical Governance

No impact arising from this report.

7 EQUALITY & DIVERSITY IMPLICATIONS

No impact arising from this report.

8 GENERAL DATA PROTECTION PRINCIPLES COMPLIANCE

Activity is undertaken in line with GDPR regulations.

9 RISK ASSESSMENT

Risk of non-compliance with statutory measures under the Public Bodies (Joint Working) (Scotland) Act 2014.

10 PUBLIC & USER INVOLVEMENT & ENGAGEMENT

n/a for this report. Previous report tabled at IJB on 25 March 2020 detailed outcome of public/user consultation exercise which ran from 9th December 2019 until 17th January 2020.

10 CONCLUSIONS

- 11.1 Following review by the SG, the Argyll and Bute Integration Scheme has been further updated to take account of the comments received, as detailed at section 3.4 of the paper. The IJB is asked note the revised Scheme as set out at Appendix 1.

11 DIRECTIONS

Directions required to Council, NHS Board or both.	Directions to:	tick
	No Directions required	x
	Argyll & Bute Council	
	NHS Highland Health Board	
	Argyll & Bute Council and NHS Highland Health Board	

12 APPENDICES

Appendix 1 – Revised Scheme of Integration as at November 2020

REPORT AUTHOR AND CONTACT

Author Name: Laura Blackwood

Email: laura.blackwood@argyll-bute.gov.uk

3 November 2020