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Agenda Item: 13

## **Integration Joint Board**

Date of Meeting: 30 September 2020.

Subject: Review of Orkney's Integration Scheme.

### **1. Summary**

1.1. The main purpose of integration is to improve the wellbeing of people who use health and social care services, particularly those whose needs are complex and involve support from health and social care at the same time. The Integration Scheme is intended to achieve the National Health and Wellbeing Outcomes prescribed by the Scottish Ministers in Regulations under section 5 (1) of the Act.

1.2. The legislation also requires the Local Authority and Health Board to review the Integration Scheme before the expiry date, which is five years after the scheme was approved in parliament. This means that many Integration Schemes were due for review by June 2020.

### **2. Purpose**

2.1. To note the Integration Scheme review carried out in the summer of 2020 and to agree the process required to undertake a more fundamental review of the Integration Scheme in early 2021.

### **3. Recommendations**

The Integration Joint Board is invited to:

3.1. Consider the information in this report and the letter from the Chief Executives of Orkney Islands Council and NHS Orkney, attached to this report, with regard to the statutory process of reviewing the Orkney's Integration Scheme.

3.2. Note the outcome of the 2020 review undertaken in line with Scottish Government guidance due to the impact of COVID-19, as set out in section 5 of this report.

3.3. Note that, if following the detailed review, NHS Orkney or Orkney Islands Council seek to change the current Integration Scheme, the Interim Chief Officer and the Chief Executives of Orkney Islands Council and NHS Orkney will work with the Joint Discussion Forum, to agree a common approach and consult formally with the

public, following which Orkney Islands Council and NHS Orkney must decide whether any changes to the Integration Scheme are necessary or desirable.

**It is recommended:**

3.4. That a more detailed review of the Integration Scheme be commenced by March 2021.

## **4. High Level Summary**

4.1. Orkney's Integration Joint Board (IJB) was formally constituted under the terms of the Public Bodies (Joint Working) (Scotland) Act 2014 on 6 February 2016. This means that the Health Board and Local Authority have delegated the responsibility for planning and resourcing service provision for adult and children's health and social care functions to the IJB, a separate legal entity.

4.2. There is in place a range of groups to support the IJB. One such group is the Joint Discussion Forum, which provides an opportunity for the most senior representatives of each of the partners to come together to resolve issues and create a culture of working together to improve outcomes. At a meeting of the Joint Discussion Forum on 25 June 2019 it was agreed, "to begin preparations for the formal review of the Integration Scheme, which will include stakeholder and public consultation".

4.3. The overall purpose of the legislation and supporting arrangements is to improve the health and wellbeing outcomes for the people of Orkney by working in an integrated way across the spectrum of health and care services. The main purpose of integration is to improve the wellbeing of people who use health and social care services, particularly those whose needs are complex and involve support from health and social care at the same time. The aim is to have in place seamless services, wrapped around the needs of individuals, their families and communities, which are not restricted by organisational or professional boundaries. Where possible, a 'one stop shop' approach to health and care should be delivered.

4.4. The IJB assumed responsibility for the functions delegated to it by Orkney Islands Council and the Board of NHS Orkney as set out in the Integration Scheme for Orkney's Health and Social Care Partnership on 24 March 2016, when it approved and adopted the Strategic Commissioning Plan for 2016/17.

4.5. The underpinning document for the operation of the IJB is the Integration Scheme. In March 2015, NHS Orkney and Orkney Islands Council respectively approved the Orkney Islands Health and Social Care Partnership Integration Scheme 2015. The Integration Scheme sets out the detail as to how Orkney Islands Council and Board of NHS Orkney integrate services. It is a comprehensive document that covers all aspects of the Community Health and Social Care Partnership's ways of working, including the detailed governance arrangements for the IJB.

4.6. Section 44 of The Public Bodies (Joint Working) (Scotland) Act 2014 requires the local authority and the Health Board to carry out a review of the scheme within a five year period for the purpose of identifying whether any changes to the scheme are necessary or desirable.

4.7. The Integration Joint Board is a legal entity, created by Parliamentary Order under section 9 of the Public Bodies (Joint Working) (Scotland) Act 2014. The Orkney Integration Joint Board was established as a Body Corporate by order of Scottish Ministers with effect from 6 February 2016 on approval of the Integration Scheme. The process of review involves engagement with a range of stakeholders.

## **5. Scottish Government COVID-19 advice**

5.1. Given the current work across local health and social care systems to plan their response to COVID-19, and in view of announcements made by the First Minister and the Cabinet Secretary for Health and Sport on the stringent new measures which were put in force throughout Scotland to slow the impact of the virus, the Scottish Government advised in March 2020 that there was not an expectation at present that Integration Joint Boards and the relevant Health Boards and Councils should continue work on developing successor schemes.

5.2. An email sent from Christina Naismith, Head of Integration Implementation, Scottish Government, to all Chief Officers, Local Authority Chief Executives and NHS Board Chief Executives on 17 March 2019, advised that:

'For absolute clarity, the Act does not require the Health Board and Local Authority to produce a successor scheme, it requires a review. You should therefore ensure that you jointly carry out the minimum requirement of a review, which most of you have already undertaken, and that this is acknowledged jointly and formally. This review can note anything that requires further work between the partners and set out plans for the completion of that work at a later date, once the current very challenging situation passes, including the production of a successor scheme. Meantime, the current Integration Scheme will remain in force.'

5.3. In light of the above statement, a review and follow up discussion took place, both amongst the two Interim Chief Executives and with the Senior Management Team of Orkney Health and Care, and it has been agreed that there are currently no areas requiring immediate attention. As such it is considered that the Integration Scheme is acceptable as is.

5.4. It has further been agreed that a more detailed review by NHS Orkney, Orkney Islands Council and the Integration Joint Board will commence by March 2021, which will include option appraisals of all functions, and will be circulated for stakeholder engagement. Once approved by both NHS Orkney and Orkney Islands Council, new directions, from the Integration Joint Board, will be issued to all services formally delegated.

## **6. Key Issues**

6.1. The Council and Health Board have a well-established history of joint working and joint appointments, going back over the last twenty years. The Orkney Health and Care Partnership is able to secure good performance, across a range of key performance measures. On a day to day basis, staff are able to work together to provide effective care for people with health and care needs. There are, however, some systemic operational issues which exist which make 'seamless' joint working challenging, such as: a lack of shared data systems and documentation; an inability to effectively pool budgets; and joint posts having to operate to two sets of policies and procedures. Whilst some of these are operational in nature, having strong shared governance and leadership arrangements can support managers to implement a shared approach.

6.2. There is a legislative requirement for the Health Board and Local Authority to review the Integration Scheme within 5 years of the Scheme being approved and the review must be undertaken by all three partners. The Joint Discussion Forum is supportive of an open and inclusive approach to reviewing the Integration Scheme, both in terms of the scope of services included in the Integration Scheme and in relation to governance and accountability.

6.3. Under the Act, the Chief Executives of Orkney Islands Council and NHS Orkney will work with the Interim Chief Officer, in consultation with the Joint Discussion Forum, to agree a common approach, and, should there be any substantive changes, there will be a need to consult formally with the public. Following this, the local authority and the Health Board must decide whether any changes to the scheme are necessary or desirable.

## **7. Next Steps**

7.1. A review will commence by March 2021, involving an options appraisal for all services currently delegated and not delegated to ensure the most efficient planning and delivery of services.

7.2. It is planned that an open and inclusive consultation and engagement process will be carried out to find out what those directly and indirectly affected by the application of the Integration Scheme, who wish to have a say, think about the arrangements. It is difficult to separate the Integration Scheme from the Strategic Plan, as the latter is based on the former, and therefore a concurrent engagement exercise will take place, which will inform the review of both key documents – the Strategic Plan and the Integration Scheme.

7.3. The process will be aligned with the IJB's Communication and Engagement Strategy and will take account of the Scottish Government's Chief Executive's Letter to each Health Board CEL 4 (2010) Informing, Engaging and Consulting People in Developing Health and Community Care Services.

7.4. The timescale is set to enable a refreshed Integration Scheme for consideration at the June 2021 agenda cycle.

7.5. A Project Team will be established for the review reporting to the Joint Discussion Forum, which will act as a sounding board, and must include officers from the Council and the Health Board.

## 8. Contribution to quality

Please indicate which of the Orkney Community Plan 2019 to 2022 visions are supported in this report adding Yes or No to the relevant area(s):

<b>Resilience:</b> To support and promote our strong communities.	Yes.
<b>Enterprise:</b> To tackle crosscutting issues such as digital connectivity, transport, housing and fuel poverty.	No.
<b>Equality:</b> To encourage services to provide equal opportunities for everyone.	Yes.
<b>Fairness:</b> To make sure socio-economic and social factors are balanced.	Yes.
<b>Innovation:</b> To overcome issues more effectively through partnership working.	Yes.
<b>Leadership:</b> To involve partners such as community councils, community groups, voluntary groups and individuals in the process.	Yes.
<b>Sustainability:</b> To make sure economic and environmental factors are balanced.	Yes.

## 9. Resource implications and identified source of funding

9.1. Staff consultation and engagement on the review of the Integration Scheme will be facilitated through the Joint Staff Forum, Council Trade Union and Area Partnership Forum.

9.2. The costs of undertaking the consultation and engagement exercises are predominantly staff time and will be accommodated within the existing approved budget for 2021-22.

## 10. Risk and Equality assessment

10.1. The Integration Joint Board is a body corporate, established by Order under section 9 of the Public Bodies (Joint Working) (Scotland) Act 2014.

10.2. Section 44 Review of Integration Scheme requires, "The Local Authority and the Health Board must carry out a review of the scheme before the expiry of the relevant period [5 years] for the purpose of identifying whether any changes to the scheme are necessary or desirable".

10.3. There is a legal obligation to review the Integration Scheme so the risk of not proceeding with the review will be concerned with non-compliance with legislation.

## 10.4. NHS Orkney

10.4.1. The NHS Board holds the responsibility for reviewing strategic documents and there is no Committee within which this remit would fall. The report is therefore presented directly to the NHS Board for consideration.

## 10.5. Orkney Islands Council

10.5.1. Strategic overview of social care and social work functions relating to developing the Council as an organisation, its processes, procedures and staff, policy development and the planning and performance management framework is referred to the Orkney Health and Care Committee. The Committee is responsible for receiving reports on any matters relating to functions which are not delegated to the IJB that require to be reported to the Council. As this report concerns a statutory review process led by the Council and the NHS Board, the matter is reserved to the Policy and Resources Committee followed by formal ratification by the Council at a General Meeting. Any subsequent recommended changes to the Scheme itself as a result of the review will also require approval of the Council.

## 10.6. IJB

10.6.1. It is the given responsibility of the IJB to implement and adhere to the Integration Scheme. The IJB and any Groups and Sub-committees which support the IJB will be consulted through the engagement process.

## 11. Direction Required

Please indicate if this report requires a direction to be passed to:

NHS Orkney.	No.
Orkney Islands Council.	No.
Both NHS Orkney and Orkney Islands Council.	No.

## 12. Escalation Required

Please indicate if this report requires escalated to:

NHS Orkney.	No.
Orkney Islands Council.	No.
Both NHS Orkney and Orkney Islands Council.	Yes.

## 13. Authors

13.1. John W Mundell, Interim Chief Executive, Orkney Islands Council.

13.2. Michael Dickson, Interim Chief Executive, NHS Orkney.

13.3. Gillian Morrison, Interim Chief Officer, Integration Joint Board.

## **14. Contact details**

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## **15. Supporting documents**

15.1. Appendix 1: Joint letter from Chief Executives.

JM/MD/SJ/01

25 August 2020

Councillor Rachael King  
Integration Joint Board - Chair  
c/o Orkney Health and Care  
School Place  
Kirkwall  
Orkney  
KW15 1NY

Dear Cllr King,

**Re: Review of Integration Scheme**

As part of the work for establishing local arrangements for integration, the Public Bodies (Joint Working) (Scotland) Act 2014 required each Health Board and corresponding Local Authority to jointly prepare an Integration Scheme that set out which integration model was to apply, the functions to be delegated, and the financial arrangements and payments for the functions.

The legislation also requires the Local Authority and Health Board to review the Integration Scheme before the expiry date, which is five years after the scheme was approved in parliament. This means that many Integration Schemes were due for review by June 2020.

Given the current work across local health and social care systems to plan their response to Covid-19, and in view of announcements made by the First Minister and the Cabinet Secretary for Health and Sport on the stringent new measures now in force throughout the UK to slow the impact of the virus, we were advised by Scottish Government, in March 2020, that they did not expect you us to continue work on developing successor schemes.

We were advised that:

***‘For absolute clarity, the Act does not require the Health Board and Local Authority to produce a successor scheme, it requires a review. You should therefore ensure that you jointly carry out the minimum requirement of a review, which most of you have already undertaken, and that this is acknowledged jointly and formally. This review can note anything that requires further work between the partners and set out plans for the completion of that***



***work at a later date, once the current very challenging situation passes, including the production of a successor scheme. Meantime, the current Integration Scheme will remain in force.'***

In light of the above statement, a rudimentary review and follow up discussion took place, both amongst ourselves and with the Senior Management Team of Orkney Health and Care, and it has been agreed that there are currently no areas requiring immediate attention, and as such it has been decided that the Integration Scheme is acceptable as is.

It has further been agreed that a more detailed review will commence by March 2021, which will include options appraisals of all services, and will be circulated for stakeholder engagement. Once approved by both NHS Orkney and Orkney Islands Council, new directions, from the Integration Joint Board, will be issued to all services formally delegated.

Kind Regards,

**John W Mundell OBE  
Interim Chief Executive  
Orkney Islands Council**

**Michael Dickson  
Interim Chief Executive  
NHS Orkney**

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