



Stephen Brown (Chief Officer)

Orkney Health and Care

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Agenda Item: 3.

Orkney Integration Joint Board

Wednesday, 30 August 2023, 09:30.

Minute

Present

Voting Members:

Orkney Islands Council:

Councillors Rachael A King, Jean E Stevenson and Ivan A Taylor.

NHS Orkney:

Issy Grieve, Joanna Kenny (via Microsoft Teams) and Meghan McEwen.

Non-Voting Members:

Professional Advisers:

- Stephen Brown, Chief Officer of the Integration Joint Board.
- Dr Kirsty Cole, General Practitioner representative, appointed by NHS Orkney.
- Sharon-Ann Paget, Acting Chief Social Work Officer of the constituent local authority, Orkney Islands Council.
- Peter Thomas, Section 95 Officer of the Integration Joint Board.
- Sam Thomas, Nurse representative, employed by NHS Orkney.

Stakeholder Members:

- Janice Annal, Service User Representative (via Microsoft Teams).
- Morven Brooks, Third Sector Representative.
- Ryan McLaughlin, Staff-side Representative, NHS Orkney.
- Frances Troup, Head of Community Learning, Leisure and Housing, Orkney Islands Council.

Clerk

- Hazel Flett, Service Manager (Governance), Orkney Islands Council.

In Attendance

Orkney Health and Social Care Partnership:

- Lynda Bradford, Head of Health and Community Care.
- Maureen Swannie, Head of Strategic Planning and Performance/Acting Head of Children, Families and Justice Services.

Orkney Islands Council:

- Karen Bevilacqua, Solicitor.

NHS Orkney:

- Anthony McDavitt, Director of Pharmacy (NHS Orkney and NHS Shetland) (via Microsoft Teams).
- Steven Johnston, Chair, Joint Clinical and Care Governance Committee.
- Morven Gemmill, Lead Allied Health Professional.
- Sara Lewis, Acting Director of Public Health (via Microsoft Teams).

Observing

Orkney Islands Council:

- Erik Knight, Head of Finance.
- Veer Bansal, Solicitor.

Orkney Health and Social Care Partnership:

- Shaun Hourston-Wells, Acting Strategic Planning Lead.

Chair

- Councillor Rachael A King, Orkney Islands Orkney.

1. Apologies

The Chair welcomed everyone to the meeting and reminded members that the meeting was being broadcast live over the Internet on Orkney Islands Council's website. The meeting was also being recorded, with the recording publicly available for listening to after the meeting for 12 months.

Apologies for absence had been intimated on behalf of the following:

- Voting Member:
 - Davie Campbell, NHS Orkney.
- Non-Voting Members:
 - Dr Louise Wilson, Secondary Medical Care Practitioner representative, employed by NHS Orkney.
 - Jim Love, Carer Representative.
 - Danny Oliver, Staff-side Representative, Orkney Islands Council.

2. Declarations of Interest

There were no declarations of interest intimated in respect of items of business to be discussed at this meeting.

3. Disclosure of Exempt Information

The Board noted the proposal that the public be excluded from the meeting for consideration of Item 19, as the business to be discussed involved the potential disclosure of exempt information of the classes described in the relevant paragraphs of Part 1 of Schedule 7A of the Local Government (Scotland) Act 1973 as amended.

4. Minute of Previous Meeting

There had been previously circulated the draft Minute of the Meeting of the Integration Joint Board held on 21 June 2023.

The minute was **approved** as a true record.

5. Matters Arising

There had been previously circulated a log providing details of matters arising from previous meetings, for consideration and to enable the Board to seek assurance on progress, actions due and to consider corrective action, where required.

In relation to Action 3 from the previous meeting, Dr Kirsty Cole queried why reference was made to the use of the fourth wing at Hamnavoe House, when the discussion focussed on the service model for the new facility in Kirkwall. Stephen Brown advised that, while discussions would continue regarding the service model for the new facility in Kirkwall, the ability to think differently rather than a like-for-like replacement was currently unlikely, hence why there was more value in considering utilising the empty wing at Hamnavoe House.

In response to a query from Councillor Jean Stevenson regarding the Distress Brief Intervention pilot, Stephen Brown confirmed that a full evaluation was scheduled to be reported to the Board by April 2024, but early indications were that there was good uptake and positive outcomes. Lynda Bradford added that most referrals were made by the Police, who had received appropriate training, and they were looking at other services to make referrals, including the Scottish Ambulance Service and the Emergency Department at the Balfour.

6. Performance and Audit Committee

There had been previously circulated the unapproved Minutes of the Meetings of the Performance and Audit Committee held on 28 June and 7 July 2023, to enable the Board to seek assurance.

In the absence of the Chair of the Performance and Audit Committee, Peter Thomas highlighted the main points arising from the meeting on 28 June 2023 as follows:

- Davie Campbell appointed Chair for the period to May 2025.
- Indicative External Audit Annual Audit Plan – noting this was KPMG's first year of a five-year appointment as the Board's external auditors.

- Two internal audit reports commissioned by NHS Orkney and reported to the Performance and Audit Committee in accordance with the reporting protocol:
 - Safeguarding: Adult Support and Protection.
 - Joint Working Arrangements.
- One internal audit report commissioned by the IJB – Performance Management.
- Internal Audit Annual Audit Opinion, namely that the IJB had a framework of controls in place that provided Adequate assurance regarding the organisation’s governance framework, related internal controls and the management of key risks.
- Draft Annual Accounts for year ended 31 March 2023 – due to incorrect financial details, and other matters raised by the Chief Finance Officer and members of the Committee, the draft annual accounts were not approved.
- Registered Services within Orkney Health and Care – Inspection Assurance Report for six-month period 1 November 2022 to 30 April 2023.

The revised draft annual accounts, incorporating the amendments raised at the meeting on 28 June 2023, had been resubmitted to the Committee on 7 July 2023 and were subsequently approved.

In response to a query from Steven Johnston regarding the establishment of the Social Work and Social Care Governance Board, Sharon-Ann Paget confirmed this was due to commence meeting in October, at four weekly intervals, and reporting to the Joint Clinical and Care Governance Committee as appropriate.

7. Joint Clinical and Care Governance Committee

There had been previously circulated the unapproved Minute of the Meeting of the Joint Clinical and Care Governance Committee held on 4 July 2023, to enable the Board to seek assurance.

Steven Johnston, Chair of the Joint Clinical and Care Governance Committee, highlighted three matters:

- Speech and Language Pressures – national and local pressures, highlighting consequences for patients and an assessment of local issues and challenges.
- Ethical Advice and Support Group – group had been stood down, noting that links were to be maintained through the NHS Grampian group.
- First Care Homes Assurance report.

Regarding the speech and language service, Morven Gemmill advised that Orkney had faced challenges for some time and the service was more at risk when vacancies could not be filled, citing a recent recruitment exercise which had failed on three occasions. Accordingly, more creative solutions were being investigated, including a remote model.

In response to a query from Councillor Rachael King regarding occupancy levels in care homes impacting on the provision of respite care, Lynda Bradford advised that a paper would be brought to the Board in December quantifying the issue.

Lynda Bradford further advised that, post pandemic, people who were not known to the service, both adults and those with learning disabilities, were coming forward, often at crisis point, which had, most likely, been impacted further by the restrictions during the pandemic.

8. Strategic Planning Group

There had been previously circulated the unapproved Minute of the Meeting of the Strategic Planning Group held on 1 August 2023, to enable the Board to seek assurance.

Issy Grieve, Chair of the Strategic Planning Group, highlighted the following matters:

- Sport Scotland's agenda linking with the wider health and wellbeing of the community, noting that Orkney would be hosting the Island Games in 2025.
- Two papers presented from the carers' representative, Jim Love, in relation to unpaid carers and Home First.

Maureen Swannie referred to the national recognition of the GIRFE Pathfinder Team, and extended her thanks to all those involved.

9. Revenue Expenditure Outturn

There had been previously circulated a report presenting the revenue expenditure outturn position for 2022/23, for scrutiny.

Peter Thomas summarised the main points, noting that, despite a balanced budget being achieved for the year ended 31 March 2023, this was only possibly due to significant additional funding from both partners.

During detailed scrutiny of the financial outturn position, the following points were highlighted:

- Budgets were based on historical levels with limited incremental increases.
- Directions could be used to more clearly define the services to be commissioned, noting that, if increased resource was required for one service area, this would require an equivalent reduction elsewhere, unless additional resources were identified and available.
- A large proportion of the overspends was due to the requirement to employ agency staff, noting that the budget reflected the approved staffing establishment, therefore, unless a permanent workforce could be achieved, overspends would continue.
- Many services in Orkney were operating at the very top end of their licences, with the complexity of care needs also increasing.
- The number of individuals paying for residential care was decreasing, noting that previously that income would offset some expenditure, and this position was not expected to change in the short term.
- With Orkney having no nursing homes and linking back to the increasing complexity of care requirements, community nursing and other acute medical services were experiencing an increase in demand.

- Following the increased grading for Care at Home staff, there was currently no indication of staff in care homes moving to the Care at Home service.
- Allocation of funding to Orkney (both social care and health) to be raised at national level, as often as possible, given that formulaic allocations did not take into account the significant challenges faced by an island community.

The Board noted:

9.1. The revenue expenditure outturn statement in respect of the Orkney Health and Social Care Partnership for financial year 2022/23, as detailed at section 4.1 of the report circulated, which indicated a balanced position.

9.2. That additional funding of £375.7K was received from Orkney Islands Council at the year end to fund the overspend against budget for out of Orkney placements relating to children's services.

9.3. That further additional funding of £1,396K was received from Orkney Islands Council at the year end to achieve a balanced position.

9.4. The revenue expenditure outturn statement in respect of the Set Aside budget for financial year 2022/23, as detailed at section 6 of the report circulated, which indicated a year end balanced position.

9.5. That additional funding of £1,377K was received via NHS Orkney to achieve a year end balanced position for Set Aside services.

10. Revenue Expenditure Monitoring

There had been previously circulated a report presenting the revenue expenditure position as at 30 June 2023, for scrutiny.

Peter Thomas confirmed that the trend on budget overspends had continued into the new financial year, with forecast year end overspends in excess of £3 million in respect of delegated services and approaching £3 million on Set Aside.

Meghan McEwen referred to the significant work ongoing within NHS Orkney through the Financial Sustainability Office and suggested that, in order to make best use of resources, that work should feed into an overall Recovery Plan, rather than having separate recovery plans.

Stephen Brown advised that, with regard to Orkney Islands Council, work on financial sustainability was ongoing across all directorates and that the Corporate Leadership Team met regularly with finance colleagues. He agreed that work should feed into an overall Recovery Plan so that the approach did not become disjointed.

Councillor Rachael King welcomed the integrated approach and also referred to early intervention work which was crucial to providing a holistic approach and preventing greater spend on more acute needs.

The Board noted:

10.1. The financial position of the Orkney Health and Social Care Partnership as at 30 June 2023 as follows:

- A current overspend of £353K on delegated services and an overspend of £610K on Set Aside services.
- A forecast year end overspend of £3,493K on delegated services and a forecasted overspend of £2,605K on Set Aside services, based on current activity and spending patterns.

10.2. That the NHS Orkney delegated services budget included a savings target of £2.4M for 2023/24, carried forward from 2022/23, of which there was an estimation that £510K of savings could be achieved within the current financial year.

10.3. That the above assumptions were based on NHS Orkney's Financial Recovery Plan which assumed delivery of £465K of recurring savings against the £2.4M opening unachieved savings target, an additional £35K of recurring savings in 2023/24 plus a further £10K.

10.4. That, should the savings outlined above not be achievable in the current financial year, this would have a worsening effect on the outturn position.

10.5. The balance within the earmarked reserves/holding account of £2,987K, as detailed in Annex 1 to the report circulated.

11. Financial Assurance

There had been previously circulated a report presenting the Chief Finance Officer's review of the current rate of expenditure compared to budget allocations and the extent to which assurance could be provide as to whether the Board would achieve a break-even position as at 31 March 2024, for scrutiny and assurance.

Peter Thomas outlined the increasing demand for services, as well as the increasing number of service users and the increased complexity of care required, noting that budgets were not increasing at the same pace. Given the island location, there was no opportunity to reduce staff numbers and he believed the three island groups should work together to achieve better funding. Taking all circumstances into account, an overspend in excess of £6 million for financial year 2023/24 was currently projected and he highlighted the nine key cost pressures detailed in section 6.1 of his report. In conclusion, he was unable to provide assurance that the Board would be able to achieve a breakeven position at 31 March 2024, therefore a recovery plan was required.

In response to a query from Councillor Rachael King on the approach to the recovery plan and the limited ability to achieve any savings this financial year, Stephen Brown suggested that the next development session be used to discuss, in detail, the current financial position, as well as the outlook for the next three to five years.

The Board noted:

11.1. That the IJB was projected to be in an overspend position for non-Set Aside services by £3,493K as at 31 March 2024.

11.2. That the IJB was projected to be in an overspend position for Set Aside services by £2,605K as at 31 March 2024.

11.3. That the projected overspend positions were based on current levels of activity, expenditure and commitments and there was a risk that, should demands on service and commitments increase, the projected year end overspend positions would also increase.

11.4. That, in recent years, the IJB had received additional allocations at the year end from the partners and utilised reserves to reach annual break-even positions; however, reliance could not be placed on additional year end funding or reserves being available in 2023/24 or future years to bring the IJB back to a balanced position.

11.5. That the Chief Finance Officer was unable to provide assurance that the IJB would achieve a break-even position for financial year 2023/24 and that it was almost certain that the IJB would not be in a balanced financial position as at 31 March 2024.

11.6. That, if additional funding could not be committed to by the partners, the extent of the projected overspend year end position required a recovery plan to be developed by the Chief Officer and the Chief Finance Officer, which would be presented to a future meeting of the Board.

12. Risk Register

There had been previously circulated a report presenting a revised Risk Register, for consideration and approval.

Peter Thomas advised that, following comments made at the previous meeting, the Risk Register had been updated to reflect those comments and was subsequently presented for approval.

Despite several members advising that the track changes made for very difficult reading and understanding, Councillor Rachael King did remind members that this had been asked for previously, so that the changes could be identified easily. Whilst sympathetic to the concerns regarding track changes, Stephen Brown agreed that, should the revised Risk Register be approved, he would arrange for a clean version to be circulated as soon as possible thereafter. Going forward, should any further changes be provided, both versions (ie one with track changes and a clean version) would be circulated.

The Board noted:

12.1. The proposed changes to the Risk Register, summarised in section 4 of the report circulated.

The Board **resolved:**

12.2. That the revised Risk Register, attached as Appendix 1 to the report circulated, be approved.

13. Standards Officer

There had been previously circulated a report presenting recommendations for the reappointment of the Board's Standards Officer, together with the appointment of a Depute Standards Officer, for consideration and approval.

Karen Bevilacqua outlined the Board's statutory duty to appoint a Standards Officer, noting that the current appointments were due to expire in September. Since the previous appointments in 2020, the Council had undergone a staffing restructure, which saw the remit for matters relating to Codes of Conduct for Members and associated liaison with the Standards Commission transferring from the Legal Services section to a new service area covering Governance.

The Board noted:

13.1. That there was a statutory requirement for the Integration Joint Board to appoint a Standards Officer, who was responsible for advising and guiding members of the Integration Joint Board on issues of conduct and propriety.

13.2. That the terms of appointment of the current Standards Officer and current Depute Standards Officer were due to expire in September 2023 and new appointments were therefore necessary.

The Board **resolved**:

13.3. That the reappointment of Gavin Mitchell, Head of Legal and Governance, Orkney Islands Council, as the Standards Officer of the Integration Joint Board, for a further period of three years until September 2026, be submitted for approval by the Standards Commission for Scotland.

13.4. That the appointment of Hazel Flett, Service Manager (Governance), Orkney Islands Council, as Depute Standards Officer of the Integration Joint Board, for a period of three years until September 2026, be submitted for approval by the Standards Commission for Scotland.

13.5. That the Chief Officer write to the Standards Commission for Scotland with the relevant information.

14. Financial Regulations

There had been previously circulated a report presenting revised Financial Regulations, for consideration and approval.

Peter Thomas advised that the existing Financial Regulations, approved in 2018, were still largely fit for purpose, although a small number of amendments were outlined in section 4.2 of the report.

The Board noted:

14.1. That the Financial Regulations, approved on 28 November 2018, had been reviewed.

14.2. The proposed minor amendments to the Financial Regulations, as detailed in section 4.2 of the report circulated.

The Board **resolved**:

14.3. That the revised Financial Regulations, attached as Appendix 1 to the report circulated, be approved.

15. Reserves Policy

There had been previously circulated a report presenting a revised Reserves Policy, for consideration and approval.

Peter Thomas advised that the existing Reserves Policy, approved in 2017, was still largely fit for purpose, although a small number of amendments were outlined in section 4.2 of the report.

The Board noted:

15.1. That the Reserves Policy, adopted on 10 March 2017, had been reviewed, with minor amendments as proposed in section 4.2 of the report circulated.

The Board **resolved**:

15.2. That the revised Reserves Policy, attached as Appendix 1 to the report circulated, be approved.

16. Stakeholder Representatives' Expenses

There had been previously circulated a report presenting a revised policy in respect of stakeholder representatives' expenses, for consideration and approval.

Peter Thomas advised that the existing policy in relation to stakeholder representatives' expenses, approved in 2020, was still largely fit for purpose, although a small number of amendments were outlined in section 4.2 of the report.

Given the ongoing financial situation, Councillor Rachael King drew members' attention to section 2 of the policy, which suggested that representatives should check the availability of attending meetings virtually, before submitting a travel request, although it was acknowledged that, in some cases, face-to-face meetings were preferable.

In response to a query from Dr Kirsty Cole who sought clarification on which policy applied to contracted GPs, Peter Thomas confirmed that revisions to this policy did not affect any existing arrangements in place for GPs.

The Board noted:

16.1. That the policy on Stakeholder Representatives' Expenses, adopted on 9 December 2020, had been reviewed, with minor amendments as proposed in section 4.2 of the report circulated.

The Board **resolved**:

16.2. That the updated Stakeholder Representatives' Expenses, attached as Appendix 1 to the report circulated, be approved.

17. Date and Time of Next Meeting

The Board noted that the next meeting was scheduled to be held on Wednesday, 13 December 2023, at 09.30.

18. Disclosure of Exempt Information

On the motion of Councillor Rachael King, seconded by Issy Grieve, the Board agreed that the public be excluded from the remainder of the meeting as the business to be considered involved the disclosure of exempt information of the classes described in the relevant paragraphs of Part 1 of Schedule 7A of the Local Government (Scotland) Act 1973 as amended.

19. Additional Investment

Under section 50A(4) of the Local Government (Scotland) Act 1973, the public had been excluded from the meeting for this item on the grounds that it involved the disclosure of exempt information as defined in paragraphs 1 and 11 of Part 1 of Schedule 7A of the Act.

There had been previously circulated a report advising on progress with and prioritisation of additional investment, approved in May 2023.

The Board noted:

19.1. That, on 25 May 2023, the Board noted:

- That, in November 2021, the Scottish Government provided additional investment to Integration Joint Boards for the purpose of improving hospital to community pathways, bolstering Care at Home capacity and investing in multi-disciplinary teams. For Orkney this amounted to £534,000, of which £359,000 was recurring. An increase in the investment for multi-disciplinary teams increased the recurring investment for Orkney to £451,000.
- That, whilst the Board had already committed some of the additional funding to regrade frontline staff in Care at Home, there remained some strands of money available for investment.
- That it would be vital the investment decisions made were appropriately aligned to the Board's strategic priorities as detailed in the Strategic Plan.

19.2. That the Board subsequently approved the proposed investment detailed in section 4 of the report circulated.

19.3. Progress to date with implementing the new structure and posts, as outlined in section 4.3 of the report circulated.

The above constitutes the summary of the Minute in terms of the Local Government (Scotland) Act 1973 section 50C(2) as amended by the Local Government (Access to Information) Act 1985.

20. Conclusion of Meeting

There being no further business, the Chair declared the meeting concluded at 11:45.