



Stephen Brown (Chief Officer)

Orkney Health and Care

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Agenda Item:

Orkney Integration Joint Board

Tuesday, 22 March 2022, 09:30.

Microsoft Teams.

Minute

Present

Voting Members:

- Issy Grieve, NHS Orkney.
- Davie Campbell, NHS Orkney.
- Joanna Kenny, NHS Orkney.
- Councillor Rachael A King, Orkney Islands Council.
- Councillor John T Richards, Orkney Islands Council.
- Councillor Steve Sankey, Orkney Islands Council.

Non-Voting Members:

Professional Advisers:

- Stephen Brown, Chief Officer.
- Dr Kirsty Cole, Registered GP, NHS Orkney.
- Jim Lyon, Interim Chief Social Work Officer, Orkney Islands Council.
- Pat Robinson, Chief Finance Officer.
- Dr Louise Wilson, Registered Medical Practitioner not a GP, NHS Orkney.

Stakeholder Members:

- Gail Anderson, Third Sector Representative.
- Janice Annal, Service User Representative.
- Fiona MacKellar, Staff Representative, NHS Orkney.
- Danny Oliver, Staff Representative, Orkney Islands Council.

Clerk

- Hazel Flett, Senior Committees Officer, Orkney Islands Council.

In Attendance

Orkney Health and Care:

- Lynda Bradford, Head of Health and Community Care.
- Maureen Swannie, Interim Head of Children's Health Services.
- Matt Webb, Community Justice Planning, Performance and Information Officer (for Items 1 to 14).

Orkney Islands Council:

- Karen Bevilacqua, Solicitor (for Items 1 to 11).
- Kay McKerrell, Solicitor.

NHS Orkney:

- Mark Doyle, Director of Finance.
- Mark Henry, Medical Director.

Observing

Orkney Health and Care:

- Callan Curtis, Performance and Planning Officer (for Items 1 to 12).

Orkney Islands Council:

- Colin Kemp, Interim Head of Finance.
- Rebecca McAuliffe, Press Officer (for Items 10 to 14).
- Lorraine Stout, Press Officer (for Items 1 to 10).

Not Present:

- Joyce Harcus, Carer Representative.
- Frances Troup, Head of Community Learning, Leisure and Housing.

Chair

- Issy Grieve, NHS Orkney.

1. Introduction and Apologies

The Chair welcomed everyone to the meeting and, in particular, Joanna Kenny, who was attending her first meeting of the Integration Joint Board, replacing David Drever, NHS Orkney, who had recently completed his term of office on the Board of NHS Orkney.

The Chair thanked Councillors John Richards and Steve Sankey for their significant contribution to and positive challenge of matters raised at the Integration Joint Board, noting that both Councillors had indicated they would not be standing for re-election at the forthcoming Local Government Election on 5 May 2022.

The Chair reminded members that the meeting was being recorded and broadcast live over the Internet on Orkney Islands Council's website. The recording would also be publicly available following the meeting and available for listening to for 12 months thereafter.

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

- Maureen Firth, Head of Primary Care Services, Orkney Health and Care.
- Gavin Mitchell, Head of Legal and Governance, Orkney Islands Council.
- Dr Dawn Moody, Clinical Director – GP, NHS Orkney.
- Sharon-Ann Paget, Service Manager (Public Protection), Orkney Health and Care.

Post meeting note: Although Frances Troup, Head of Community Learning, Leisure and Housing, Orkney Islands Council, was noted as Not Present, it was subsequently established that she had been inadvertently omitted from the meeting invitation and had not received the papers. However, her apologies were noted, as she would have been unable to attend, due to a clash of diary commitments.

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 Items 15 and 16, 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 15 December 2021.

The Minute was **approved** as a true record, on the motion of Councillor Rachael King, seconded by Davie Campbell.

5. Matters Arising

There had been previously circulated a log providing details on 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.

Stephen Brown highlighted the following:

- Matters Arising from Meeting on 15 December 2021:
 - Action 4 – a Systems Programme Board had been established to review PARIS and other systems to work through options for future development.

- Outstanding Matters Arising:
 - Action 2 – Set Aside – as the development session had taken place, it was recommended this action be closed off.
 - Action 4 – Joint Clinical and Care Governance Committee – Review of Terms of Reference – this action was complete and could be closed off.
 - Action 8 – Distress Brief Intervention – as a full evaluation was to be reported and performance related matters were included in other actions, this action could be closed off.
 - Action 14 – Promise Board – Divisional Commander Conrad Trickett, Police Scotland, had agreed to chair a Promise/Corporate Parent Board, which would bring in a degree of experience from elsewhere.

Councillor Steve Sankey referred to Action 2 – Set Aside – and sought assurance that the six steps set out in statutory guidance had been worked through. Pat Robinson confirmed that, as the health board and the integration authority were coterminous in Orkney, the six steps set out in the statutory guidance were not particularly relevant, as they were more appropriate where a single health board had to report to several integration authorities. Locally, all specialities were included within the set aside budget which, although reporting an overspend, this was now reducing, and she had no issues going forward.

The Chair noted the progress being made and the number of actions recommended for deletion following this meeting.

6. 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 26 October 2021, to enable the Board to seek assurance.

Mark Henry advised that the Joint Clinical and Care Governance Committee had not met since October 2021, due to NHS Orkney implementing Agile arrangements in response to the surge in Omicron cases. There were no matters in the Minute of the Meeting held on 26 October 2021 that he wished to bring to the Board's attention and advised that the next meeting was scheduled to be held on 4 April 2022.

The Chair referred to the number of performance reports considered by the Joint Clinical and Care Governance Committee and also to the proposal to be considered later in the meeting regarding extending the remit of the Board's Audit Committee to include performance. She suggested that a conversation be had between the Chair of the Joint Clinical and Care Governance Committee and the Chief Officer to guard against any needless duplication. Stephen Brown confirmed that, as Steven Johnston and Mark Henry, as well as himself, were well sighted on the agenda for the Joint Clinical and Care Governance Committee, they would ensure appropriate business was channelled to the proposed Performance and Audit Committee. Further, should the Performance and Audit Committee be advised of poor and/or struggling performance, that may raise clinical and care governance issues. As this was an iterative process, the matter would be continually monitored and reviewed in order to get the balance right.

Dr Louise Wilson advised that she was keen to see the business of the Joint Clinical and Care Governance Committee strengthened, particularly in the area of care, in order to provide appropriate assurance to the Board.

7. Strategic Planning Group

There had been previously circulated the approved Minute of the Meeting of the Strategic Planning Group held on 1 December 2021, to enable the Board to seek assurance.

Stephen Brown advised that the meeting focused on two main topics:

- Clinical Strategy – Dawn Moody and Elizabeth Brooks had provided an excellent presentation on the outcome of public consultation in respect of the Clinical Strategy, with a significant amount of the survey findings being utilised in drafting the next Strategic Plan.
- Draft Joint Strategic Needs Assessment, which was subsequently considered by the Board on 15 December 2021.

The Strategic Planning Group had also been advised of the Investing in Communities Fund – a fund delivered as part of the Scottish Government's Empowering Communities Programme, with the aim to empower communities so that they could tackle poverty, inequality and disadvantage on their own terms, in turn supporting inclusive growth.

Stephen Brown confirmed that a draft Strategic Plan was now available which would be shared widely for comment. The big challenge would come from drawing up the action plan, which would reflect the continuation of work on the priorities as well as new developments designed to address the priorities. The proposal was to take the final Strategic Plan to the June meeting of the Board for consideration and approval.

Davie Campbell referred to membership of the Strategic Planning Group and suggested that it be slimmed down to a core membership, to assist with attendance and quoracy, with specialists invited as and when required. Stephen Brown confirmed that, nationally, membership of the Strategic Planning Group tended to be larger than the Integration Joint Board to ensure that every voice was heard, and some topics might be more relevant to individual members than others. Other specialists were invited as and when required. Following the resumption of Strategic Planning Group meetings recently, these had proven to be vibrant and thought provoking, with good attendance.

Dr Kirsty Cole advised that a GP representative on the Strategic Planning Group was raised recently and noted that her name still appeared as a member. She confirmed she was not the GP representative and that Dr Andy Trevett had agreed to take on that role. Stephen Brown advised that the minute under consideration pre-dated Dr Trevett's appointment and confirmed that Dr Trevett was now included on the distribution list and had attended his first meeting.

8. Financial Monitoring

There had been previously circulated a report setting out the financial position of Orkney Health and Care as at 31 December 2021, for scrutiny.

Pat Robinson highlighted the following points:

- Local Mobilisation Plans, capturing actual and anticipated additional costs incurred by health and social care partnerships in relation to COVID-19, continued to be submitted by NHS Boards to the Scottish Government. Locally, the latest submission indicated a projected spend across the partnership of £3.471 million.
- The Children and Families service continued to experience high levels of sickness absence and significant recruitment difficulties, resulting in the continued need to employ locum staff.
- Demand for Care at Home services continued to grow. There were currently 30 people on the waiting list, with no additional capacity within the Third Sector, further exacerbating the situation. Over the festive period, there was a significant shortfall in staffing, due to agency staff not being available. A plea was made to family and friends to assist over a three week period and the response was humbling and greatly appreciated.
- The detailed financial position, as at 31 December 2021, together with an analysis of significant budget variances and actions proposed to address those variances.
- Substantial new investment of over £300 million from the Scottish Government in hospital and community care to tackle what was anticipated to be the toughest winter the NHS and social care had ever faced. The allocation for Orkney amounted to £534,000 and £805,500 for 2021/22 and 2022/23 respectively, with a significant element being recurring funding. Proposals for this funding would be considered later in the meeting.
- Adult Social Care pay uplift, which would rise to a minimum of £10.50 per hour from 1 April 2022. All commissioned services had been contacted to ensure payments were put in place, with the cost fully funded from an allocation made available locally.
- Investment in mental health recovery and renewal, with Orkney's allocation amounting to £798,273 for 2021/22. Proposals were considered and approved by the Board on 27 October 2021.
- The detailed position of the set aside budget.

Davie Campbell referred to Annex 1, IJB Reserves/Holding Account and queried how much of the reserves would be used in next year's budget or whether they were restricted in time and required to be spent by the end of the current financial year. Pat Robinson confirmed that the majority related to allocations received in respect of specific matters, which required approval from the Board. Once the Board approved proposals for that allocation, the funding moved into the respective budgets, once spent, therefore the level of reserves would reduce.

Fiona MacKellar referred to the allocation of £10,000 held in reserves under Staff Wellbeing and asked to see the detail of how that funding would be spent. Pat Robinson confirmed this could be issued as a briefing in due course.

Councillor John Richards referred to the recent audit on adoption allowances and kinship payments which had identified that the local rate had not increased since 2015. He queried whether any increase to those payments would require to be considered as a further pressure alongside the projected £4.2 million savings target. Pat Robinson confirmed that, should the Board agree to increase the payments, this would require to be found from within the existing allocations received from both partners, rather than as additional funding.

Councillor Rachael King referred to the overspend position within pharmacy and sought further detail on management of that budget. Pat Robinson advised that prescribing remained a very difficult budget to manage, given the unpredictability surrounding individuals' requirements and the price of drugs. She undertook to ask the Lead Pharmacist to see whether a development session would be possible, to aid members' understanding of this budget area.

The Board noted:

8.1. The financial position of the Orkney Health and Social Care Partnership as at 31 December 2021 as follows:

- A current overspend of £194K on services delegated and an overspend of £178K on the set aside.
- A forecast year end underspend of £29K on services delegated and an overspend of £222K on set aside, based on current activity and spending patterns.
- Additional funding had been agreed by Orkney Islands Council in regard to additional children's residential care which had a projected cost of £410K for this financial year. However, if there were underspends within the service this would reduce this cost.
- It was anticipated that additional funding would be available from Orkney Islands Council via the corporate contingency for children placed outwith Orkney if required at year end which was included within the year end projection. Current estimations were a shortfall of £272K.

8.2. That a savings target of £4.2M had been applied for the three year period 2020 to 2023, of which only £259.4K of recurring savings had been identified to date.

8.3. That NHS Orkney had applied a savings target of £1.8M for 2021/22 (£800K carried forward from 2020/21), with zero savings identified to date. However, the Scottish Government had indicated that there would be funding available for any unachieved savings for the current financial year only.

9. Review of Sub-committees

There had been previously circulated a report setting out proposals for amended and/or new Terms of Reference for the Board's sub-committees, for consideration.

Stephen Brown advised that, since coming into post in May 2021, he had looked at the governance structures surrounding the Board. The paper presented two proposals for consideration, namely a review of the terms of reference for the Strategic Planning Group and expanding the remit of the Audit Committee to include performance. A scoping exercise had been undertaken and several other boards

also had performance and audit committees. Both existing groups had been sighted on the proposals and were fully supportive.

The Board noted:

9.1. The current four sub-committees, namely:

- Strategic Planning Group.
- Audit Committee.
- Joint Staff Forum.
- Joint Clinical and Care Governance Committee (shared committee with the NHS).

9.2. That, with the appointment of a new Chief Officer in May 2021, the opportunity arose to revisit the function, purpose and effectiveness of each of the sub-committees.

9.3. That work had been undertaken with members of all the sub-committees to explore how the various groups could maximise their contribution to the business of the Board.

9.4. That, as a result of the review, no changes were currently proposed in respect of the Joint Staff Forum and the Joint Clinical and Care Governance Committee.

The Board **resolved:**

9.5. That the revised Terms of Reference for the Strategic Planning Group, attached as Appendix 1 to the report circulated, be approved.

9.6. That the remit of the Audit Committee be expanded to include performance.

9.7. That the Terms of Reference for the Performance and Audit Committee, attached as Appendix 2 to the report circulated, be approved.

10. Code of Conduct

There had been previously circulated a report setting out a revised Code of Conduct, for consideration.

Karen Bevilacqua advised that the revised model Code of Conduct for public bodies was very similar to the Code of Conduct for Councillors. The proposed Code reflected Scottish Government terms and the Board had a legal obligation to implement the revised Code, which was fairly prescriptive. Section 4 of the covering report set out the main changes from the existing Code of Conduct, with the proposed changes to the model code to reflect the location situation detailed in section 4.4.

Councillor Rachael King sought clarity on clause 4.17 of the proposed Code which related to the election expenses, particularly as councillors were not elected to the Board, but were nominated as Board members by the Council, following their election.

Dr Kirsty Cole asked whether the Code of Conduct applied to voting and advisory members of the Board, particularly in relation to the role of a professional adviser to the Board.

As the Code did not require to be submitted to the Scottish Government until 10 June 2022, the Chair suggested that, given the prescriptive nature of the revised Code and the limited scope for making significant amendments, Karen Bevilacqua should seek clarity on the matters raised by Councillor King and Dr Cole from the Scottish Government. Thereafter, the revised Code could be reconsidered at the next meeting scheduled for 20 April 2022.

Dr Louise Wilson left the meeting during discussion of this item.

11. Records Management Plan

There had been previously circulated a report providing an update on implementation of the Records Management Plan.

Karen Bevilacqua advised that the report set out two areas for the Board to consider, namely approval of a small number of revisals, mainly relating to personnel and job titles, tracked on the Records Management Plan circulated, and presenting an update on implementation of the Plan. The current Records Management Plan was approved by the Keeper of the Records of Scotland on 5 February 2021, with three elements approved on the “improvement model” terms. Section 4 set out the three areas where further work was required and the response from officers, all of which would be addressed by the Council’s Electronic Document and Records Management project.

The Board noted:

11.1. That the current Records Management Plan, approved by the Board in November 2020, was approved by the Keeper of the Records of Scotland on 5 February 2021.

11.2. That, following review, a small number of revisals were proposed, primarily in order to reflect changes in personnel and job titles.

11.3. Progress to date in implementing the Plan, as detailed in section 4 of the report circulated.

11.4. That progress on implementation of the Plan would continue to be brought to the Board every two years unless there were any proposed changes requiring approval in the interim.

The Board **resolved**:

11.5. That the revisals shown tracked in the Records Management Plan, attached as Appendix 1 to the report circulated, be approved for submission to the Keeper of the Records of Scotland.

12. Orkney Community Justice Partnership

There had been previously circulated a report presenting the Orkney Community Justice Partnership’s annual report for 2020/21, for scrutiny.

Matt Webb advised that the annual report for Community Justice Orkney, which was submitted to Community Justice Scotland in 2021, covered activity for financial year 2020/21 and was a reporting requirement, as laid out in Section 23 of the Community Justice (Scotland) Act 2016, detailing performance locally against the seven nationally determined outcomes.

Sadly, the pandemic response impacted on the service's ability to deliver on some aspects of Community Justice, most notably on account of the role of Community Justice Planning, Performance and Information Officer being temporarily relocated. In addition, other Community Justice partners were also refocussed to respond to COVID-19, however this allowed partners to influence some aspects, in particular the Care For People Agenda.

Community Justice partners continued to have a strong third sector participation in Orkney, which was not replicated throughout Scotland, and this was a valued contribution to Orkney Community Justice.

There continued to be a strong link between Community Justice and the Local Employability Partnership response, particularly in relation to the No One Left Behind Agenda, with one area of focus being in relation to support and assistance provided to justice system experienced individuals to maximise their employment opportunities.

There was also increased contact between Criminal Justice social workers and their clients to ensure additional support.

Furthermore, there was positive recognition from Community Justice Scotland of an unpaid work team initiative with support provided to Restart Orkney to promote an environmentally friendly responsive service for the collection of unwanted electrical items, some of which were repaired and upcycled.

Going forward there were some expected changes with the ongoing national review of the Community Justice Strategy and consequently the Outcomes Performance Indicators Framework (OPIF). The revised Strategy was expected this summer with the OPIF anticipated to be pushed back to September 2022. Locally, the Community Justice Outcome Improvement Plan expired in 2021, however community justice partnerships had been advised to await the revised Strategy and OPIF before pressing ahead with their local plans. Accordingly, the previous plan and associated activities had continued into the current financial year and a statement published on the website to ensure continued compliance.

Councillor Steve Sankey again referred to the standard Scottish Government template which, in his opinion, did not allow for effective scrutiny, given that the annual report did not include ongoing performance trends. He queried whether future reports could include additional narrative and/or an executive summary.

Jim Lyon agreed with Councillor Sankey's comments and advised that providing some examples of real life experiences and the difference the service had made to people's lives would be helpful. Matt Webb advised that similar comments regarding the standard template were made across Scotland. He offered to provide a local response as well as reviewing the strategy to identify any gaps.

The Board scrutinised the Orkney Community Justice Partnership's annual return and performance therein, attached as Appendix 1 to the report circulated, and took assurance, particularly in relation to the impact of justice services on improving outcomes for those subject to court disposals locally.

The Board noted the following three priority areas which would be the focus of the next reporting year:

- Support alcohol/drug addiction and mental health services provided locally, to ensure they meet the needs of users in terms of access to and effectiveness of support provided.
- Carry out a Strategic Needs and Strength Assessment and review and amend the Community Justice Outcome Improvement Plan (CJOIP), reflecting on any possible impacts caused by the pandemic and the updated National Strategy and Framework.
- Continued monitoring of Domestic Abuse reports, enhancing liaison with third sector partners to identify any measures that could be implemented that support victims and address offending behaviour.

13. Date and Time of Next Meeting

It was agreed that the next meeting be held on Wednesday, 20 April 2022.

14. Disclosure of Exempt Information

On the motion of Issy Grieve, seconded by Councillor Rachael King, 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.

15. NHS Orkney – Draft Financial Recovery Plan

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 paragraph 6 of Part 1 of Schedule 7A of the Act.

There had been previously circulated a report setting out NHS Orkney's Financial Recovery Plan, for consideration.

The Board noted:

15.1. The updates to the draft NHS Orkney Financial Recovery Plan and savings requirement.

The Board resolved:

15.2. To approve ongoing commitment to contributing to NHS Orkney's Financial Recovery Plan and the savings requirement over the three year period 2022/23 to 2024/25.

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.

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16. Additional Health and Social Care Funding

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 setting out proposals to support current system pressures utilising additional funding streams made available by the Scottish Government during 2021/22, for consideration.

The Board noted:

16.1. The funding streams made available by Scottish Government during 2021/22 in recognition of current system pressures, attached as Appendix 1 to the report circulated, with specific local allocations as follows:

- Interim care arrangements – £175,000.
- Care at Home capacity – £271,000.

- Multi-Disciplinary Teams (MDTs) – £88,000.

16.2. That, with the exception of the interim care arrangements funding, the remaining funding was recurrent.

The Board **resolved**:

16.3. To commission the services detailed in sections 4 to 6 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.

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Due to internet connectivity issues, the Chair was not present during all of the discussion in relation to this item. Councillor Rachael King, Vice Chair, took the Chair when the Chair was not present, including the conclusion of the meeting.

17. Conclusion of Meeting

There being no further business, the Vice Chair declared the meeting concluded at 12:13.