

MINUTE of MEETING of the HEALTH AND CARE POLICY DEVELOPMENT AND SCRUTINY PANEL of WEST LoTHIAN COUNCIL held within COUNCIL CHAMBERS, WEST LoTHIAN CIVIC CENTRE, on 19 DECEMBER 2014.

Present – Councillors Anne McMillan (Chair), John McGinty, Janet Campbell, Lawrence Fitzpatrick (substituting for George Paul) and Frank Toner

Apologies – Councillor Diane Calder and George Paul

In Attendance – Ian Buchanan (WLACC Representative) and Martin Murray (Union Representative)

1. DECLARATIONS OF INTEREST

Councillor Toner declared a non-financial interest arising from his position as Chair of the CHCP and as a Lothian Health Board Member for which a dispensation from the Standards Commission applied.

2. PUBLIC BODIES (JOINT WORKING) (SCOTLAND) ACT 2014 - DRAFT INTEGRATION SCHEME

The Panel considered a report (copies of which had been circulated) by the Depute Chief Executive, Community Health and Care Partnership providing the draft West Lothian Integration Scheme for the establishment of a Health and Social Care Partnership in line with the requirements of the Public Bodies (Joint Working) (Scotland) Act 2014.

The Depute Chief Executive explained that the Public Bodies (Joint Working) (Scotland) Act 2014 established the legal framework for integrating health and social care in Scotland. The Act required each local authority and health board to delegate some of its functions to their Integration Authority. By delegating responsibility for health and social care functions to the Integration Authority it was intended that this would create a single system for local joint strategic commissioning of health and social care services.

The Act stated that the purpose of the integration scheme was to set out which integration model would apply and the functions to be delegated in accordance with that model. The Act also allowed local authorities and health boards to integrate health and social care services in two ways. These being :-

Option 1 – Body Corporate

The local authority and health board delegate the responsibility for planning and resourcing services for adult health provision and social care services to an Integration Joint Board (IJB). The IJB would be a separate legal entity with an equal number of voting members from each side.

Option 2 – Lead Agency

The Health Board or Local Authority would take lead responsibility for planning, resourcing and delivering integrated health and social care services. They would agree responsibility and allocate delivery of the services between them.

The draft scheme, a copy of which was attached to the report at Appendix 1, had been developed on the basis of Option 1, the body corporate model and it was suggested that this should be adopted in West Lothian. This was also the preferred approach being taken in almost all other areas across the country.

One of the key elements of the Integration Scheme was that it must set out the formal agreement between the NHS Board and the council on a range of matters, as prescribed in the regulations in support of the Act, including the delegation of functions and services to the partnership.

The Integration Scheme also had to be approved by Scottish Ministers before the Integration Joint Board could be formed. Scottish Ministers would restrict their approval to those matters which were prescribed for inclusion in the scheme and any changes to the scheme would require to be re-submitted. Once the scheme was approved the IJB would be established and the council, the health board and the IJB would have to abide by its terms.

The Act also set out that the NHS Board and Council must consult on the content of the Integration Scheme and the groups to be involved were set out in the regulations. A prescribed list of consultees was attached to the report at Appendix 2. Following the consultation period the revised Integration Scheme would be brought back to Council Executive prior to formal submission to the Scottish Government.

There then followed a questions and answer session and in doing so representation of the Integrated Joint Board was discussed in length and it was noted that there was local arrangements that allowed for union representation for both the council side and NHS Lothian side. However the Panel requested that consideration be given to the inclusion of a council side representative as non-voting member.

### Decision

1. To note the terms of the report;
2. Agreed that the report be presented to a meeting of the Council Executive with the recommendation that it be approved; and
3. Agreed to recommend to the Council Executive that consideration be given to include a council staff side representative on the Board, as a non-voting member.