

DATA LABEL: PUBLIC



**COUNCIL EXECUTIVE**

**COVID-19: INTEGRATION SCHEME REVIEW**

**REPORT BY DEPUTE CHIEF EXECUTIVE (HEALTH & SOCIAL CARE PARTNERSHIP)**

**A. PURPOSE OF REPORT**

To revisit the review agreed on 21 January 2020 of the Integration Scheme required under legislation relating to the integration of health and social care services.

**B. RECOMMENDATIONS**

1. To note the requirement of the Public Bodies (Joint Working) (Scotland) Act 2014 to fully review the Integration Scheme for the West Lothian Integration Joint Board every five years, by 16 June 2020
2. To note that on 21 January 2020 Council Executive agreed an indicative timetable and procedure for the review which can no longer be met due to the risks, precautions and legal restrictions arising from COVID-19
3. To agree therefore that the review process should be abandoned and that a report is brought to committee in autumn 2020 to consider starting it once again

**C. SUMMARY OF IMPLICATIONS**

I	<b>Council Values</b>	Being honest, open and accountable; making best use of our resources; working in partnership
II	<b>Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)</b>	Public Bodies (Joint Working) (Scotland) Act 2014, sections 44-47; West Lothian Integration Scheme; coronavirus guidance and advice
III	<b>Implications for Scheme of Delegations to Officers</b>	None
IV	<b>Impact on performance and performance Indicators</b>	N/A
V	<b>Relevance to Single Outcome Agreement</b>	N/A

<b>VI</b>	<b>Resources - (Financial, Staffing and Property)</b>	No implications
<b>VII</b>	<b>Consideration at PDSP</b>	Not required
<b>VIII</b>	<b>Other consultations</b>	NHS Lothian

## **D. TERMS OF REPORT**

### **1 Background**

- 1.1 The Public Bodies (Joint Working) Scotland Act 2014 imposes statutory duties on councils and health boards to integrate specified health and social care services. That was to be achieved by formal delegation through an integration scheme of statutory duties by council and health board to an integration authority.
- 1.2 The council and NHS Lothian (health board) agreed an Integration Scheme which was approved by the health board and then at Council Executive in May 2015. It was then submitted to the Scottish Ministers for approval. It was duly approved in June 2015 and the West Lothian Integration Joint Board was formally established by the Scottish Parliament in September 2015
- 1.3 There is a legal requirement to review the Integration Scheme periodically. This duty lies on the council and the health board. The IJB does not share that duty. The review must be carried out within 5 years of the Ministers giving a Scheme formal approval. The periodic review of the West Lothian scheme must therefore be completed on or before 16 June 2020.
- 1.4 The review process is a mandatory statutory procedure in three stages. It requires consultation with the groups stipulated by Ministers and with others on a voluntary basis - professional groups, service users, carers, service providers, voluntary sector, the Integration Joint Board and members of the public. It requires meaningful consultation and engagement, consideration of responses and feedback and further consultation on proposed and then final changes.

### **2 The review process**

- 2.1 On 21 January 2020 Council Executive approved a review process and an indicative timeline. Both have also been agreed by the health board. Stage 1 of the process was to be concluded by 31 March 2020 and reported to Council Executive on 21 April 2020. Stage 2 was to be concluded by 25 May 2020 and reported to committee on 9 June 2020. The revised scheme was to have been submitted to the Ministers for their approval by 16 June 2020.
- 2.2 Due to the risks and actions arising from COVID-19 it has not been possible to progress the review as agreed. It will not be possible to conclude it before the statutory deadline. There can be no certainty as to when it may be possible to embark on the review again. In the circumstances it is proposed that the current review process is abandoned. As a result the council and health board will not have fulfilled a statutory duty. No penalty applies. No risk is involved in terms of finance or service delivery or performance since the current scheme will continue in operation. The Integration Joint Board will continue to function under the present arrangements.

- 2.3 The Ministers have indicated their acceptance that reviews underway during the current COVID-19 emergency cannot be completed. They have indicated that councils and health boards may leave current schemes in place but undertake to revisit the reviews at the earliest practicable opportunity.

**E. CONCLUSION**

- 1 Formally abandoning the current review process will ensure clarity for council, health board, the Integration Joint Board and for service users, with the additional reassurance that council and health board will return to consider the review later in the calendar year.

**F. BACKGROUND REFERENCES**

- 1 West Lothian Integration Scheme -  
[https://westlothianhscp.org.uk/media/9964/West-Lothian-Integration-Scheme/pdf/Integration\\_Scheme\\_between\\_West\\_Lothian\\_Council\\_and\\_NHS\\_Loithian.pdf?m=637140804108030000](https://westlothianhscp.org.uk/media/9964/West-Lothian-Integration-Scheme/pdf/Integration_Scheme_between_West_Lothian_Council_and_NHS_Loithian.pdf?m=637140804108030000)
- 2 Public Bodies (Joint Working) (Scotland) Act 2014, ss45-47, incorporating ss3-6
- 3 Public Bodies (Joint Working) (Health Professionals and Social Care Professionals) (Scotland) Regulations 2014
- 4 Public Bodies (Joint Working) (Prescribed Consultees) (Scotland) Regulations 2014
- 5 Council Executive, 26 March 2019, 23 April 2019 and 21 January 2020

Appendices: None

Contact Person: James Millar, Governance Manager, [james.millar@westlothiangov.uk](mailto:james.millar@westlothiangov.uk),  
01506 281613

Allister Short, Depute Chief Executive

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