

MINUTE of MEETING of the WEST LOTHIAN SHADOW INTEGRATION JOINT BOARD of WEST LOTHIAN COUNCIL held within STRATHBROCK PARTNERSHIP CENTRE, 189 (A) WEST MAIN STREET, BROXBURN EH52 5LH, on 25 AUGUST 2015.

Present – Frank Toner (Chair), Julie McDowell (Vice Chair), David Farquharson, Alex Joyce, Danny Logue, John McGinty, Anne McMillan

Apologies – Alison Meiklejohn

In Attendance – Jim Forrest (Director), Jane Kellock (Chief Social Work Officer) Rhona Anderson (CHCP Development, West Lothian Council), Alan Bell (Senior Manager, Communities and Information, West Lothian Council), James Millar (Solicitor/Committee Services Manager, West Lothian Council), Carol Bebbington (NHS Lothian), Dr Elaine Duncan (Clinical Director, NHS Lothian) Carol Mitchell (Associate Director of Finance, NHS Lothian), Patrick Welsh (Group Accountant, West Lothian Council)

1. DECLARATIONS OF INTEREST

Councillor Danny Logue declared a non-financial interest as an employee of NHS Lothian.

Councillor Frank Toner declared a non-financial interest arising from his position as a council appointee to the Board of NHS Lothian as a Non-Executive Director.

2. MINUTE

The shadow Board approved the minute of meeting of the West Lothian Community Health and Care Partnership Board held on 2 June 2015.

3. RUNNING ACTION NOTE

A Running Action Note had been circulated for information.

Decision

To note and agree the Running Action Note.

4. INTEGRATION SCHEME UPDATE

A report had been circulated by the Director updating the Shadow Board on the status of the West Lothian Integration Scheme.

The Board was informed that an integration scheme for West Lothian had been submitted to Scottish Ministers for approval. The scheme had been approved on 16 June 2015 and subsequently the Order to establish the

IJB was laid in the Scottish Parliament.

A copy of the letter of approval of the scheme was attached as Appendix 1 to the report and the West Lothian Integration Scheme was attached as Appendix 2.

It was noted that, allowing for summer recess, West Lothian IJB would be legally established from 21 September 2015. The first meeting of the legally constituted IJB would take place on 20 October 2015. All functions would be delegated on or before 1 April 2016.

It was recommended that the IJB note that the West Lothian Integration Scheme had been approved by Scottish Ministers.

### Decision

To note the terms of the report.

## 5. IJB MEMBERSHIP - PROCESS TO RECRUIT NON-VOTING MEMBERS

A report had been circulated by the Director advising the Shadow Board of the process to recruit non-voting members.

Under the Public Bodies (Joint Working) (Integration Joint Boards) (Scotland) Order 2014, the IJB was required to have two categories of membership:-

1. Voting – appointed by NHS Lothian and West Lothian Council
2. Non-voting – appointed in accordance with article 3 of the Order.

The Director recalled that, at its meeting of 2 June 2015, the Shadow IJB had noted the confirmation of the eight voting members and had agreed that the process to recruit non-voting members be considered at its next meeting, noting in particular that the process would include the recruitment of two staff-side representatives, rather than the one required by legislation.

It was noted that the following professional advisors would be appointed as non-voting members:-

- Chief Social Work Officer
- Chief Officer of the IJB
- S95/Chief Financial Officer
- GP Representative
- Secondary Medical Care Practitioner
- Nurse Representative

The report also outlined a process for the recruitment of stakeholder members from the following categories:-

- Third sector
- Service User

- Carer
- Staff

It was recommended that the Shadow IJB approve the process to recruit non-voting members.

### Decision

To note the terms of the report and to approve the process to recruit non-voting members.

## 6. STANDING ORDERS

A report had been circulated by the Director providing for discussion draft Standing Orders and a proposed approach to minutes of Board meetings.

The Solicitor/Committee Services Manager presented the report, informing Board members of the legislative requirement of the Board to make Standing Orders regulating its procedures.

At the meeting of the Shadow Board on 2 June 2015, it had been agreed that a draft set of Standing Orders would be brought to the next meeting for consideration and discussion, with a view to finalising a draft for submission to the Board at its first formal meeting after adoption. The draft Standing Orders were attached as Appendix 1 to the report, and a number of provisions had been highlighted in the report by the Solicitor/Committee Services Manager for discussion.

Appendix 2 to the report provided details of the statutory requirements of Board minutes. The paper also examined different approaches that could be taken within the statutory rules, together with an approach recommended by the Solicitor/Committee Services Manager.

The Director recommended that the Board:-

1. note the draft Standing Orders, as contained in Appendix 1 to the report, and to consider them and provide comment and suggestion for adoption or change.
2. note the suggested approach to the preparation and agreement of minutes of Board meetings, as contained in Appendix 2 to the report, and provide comment and suggestion for adoption or change.
3. note that both Standing Orders and the approach to minutes of Board meetings would require to be formally approved by the Board when constituted.

The Committee Services Manager then responded to questions raised by Board members in relation to:-

- Requiring the Board to set its values
- Requiring the Board to define its risk appetite

- The number and frequency of meetings
- The Chair's powers in relation to urgent business, and adding items not already on the agenda
- The Chair's powers to change the date and time of meetings
- Defining or explaining "temporary vacancy"
- Attendance of the public as a deputation to speak at Board meetings

The Committee Services Manager gave advice in relation to his recommended approach for minutes. The paper contained a recommendation that "points made by members in the course of discussion or debate" would not be recorded unless it served the main purpose of recording a decision taken. During discussion, it was noted that there would be scope to include points made by members that were considered to be "significant".

#### Decision

1. To note the report providing draft Standing Orders.
2. To note the suggested approach to the preparation of minutes of Board meetings, as contained in Appendix 2 to the report.
3. To agree that the draft Standing Orders would be brought back to the Board for formal approval and that the Committee Services Manager would provide options in due course to address issues raised by Board members.

### 7. STRATEGIC PLANNING GROUP - VERBAL UPDATE

Alan Bell provided a verbal update, giving apologies to the Board that there had been no paper to consider at this time.

Arrangements had been made for the Strategic Planning Group to meet, with a report coming to the next meeting of the IJB.

#### Decision

To note the verbal update on progress.

### 8. INTEGRATION JOINT BOARD INDUCTION

A report had been circulated by the Head of Health providing an update on planned organisational development induction sessions for Integration Joint Board members.

The Board was informed that a programme for induction and development

was being progressed within NHS Lothian through NES. It was open to all IJB members and relevant senior officers for all four Lothian IJBs.

The pan Lothian induction would be provided in two phases. The Phase 1 session was available on several dates to ensure that all the Lothian IJBs' members had the chance to attend. The dates available for members to choose from were listed in the report. The aim was that the pan Lothian session would provide a good grounding for IJB members and senior officers in how things were to work in the new IJB regime.

Phase 2 was a tailored programme for each IJB base on the Scottish Government IJB Guide and discussions were currently underway as to what that might look like. In addition, a local West Lothian Induction had been held on 19 August 2015.

It was recommended that the Shadow Board consider the contents and note that events were programmed across Lothian in addition to the West Lothian session held on 19 August 2015.

### Decision

To note the terms of the report.

## 9. CONSULTATION AND ENGAGEMENT

A report had been circulated by the Director inviting the Board to approve an approach to consultation and engagement to the Shadow Integration Joint Board.

The Board was informed that the Public Bodies (Joint Working) (Scotland) Act 2014 placed an increased emphasis on listening to and involving health and social care service users and carers in deciding upon the care they received.

There was an expectation that, alongside providers of health and social care, service users and carers would be active participants in how care and support was planned, designed and delivered.

The report contained proposals for planning and developing communications to support the IJB responsibilities for strategic planning, commissioning and operational oversight of delegated functions.

It was proposed that a range of communications tools and channels be employed, including: websites, email updates and newsletters, events (workshops and road shows), social media, and press releases. Close attention would be paid to ensuring all communications materials and events were accessible, particularly in view of the service user audience.

Appendix 1 to the report provided an Action Plan showing the main stakeholders and providing details of the activities and methods proposed to ensure successful engagement as an integral part of the delivery of sustainable health and social care services for the future that were centred around the needs of patients and service users.

It was recommended that the Shadow Integration Joint Board approve the approach to consultation and engagements as outlined in Appendix 1 to the report.

#### Decision

To approve the terms of the report.

### 10. PERFORMANCE MANAGEMENT FRAMEWORK

A report had been circulated by the Director inviting the Board to approve an approach to consultation and engagement to the Shadow Integration Joint Board.

In presenting his report, the Senior Manager, Community Care Support and Services explained that the Board would be required to publish an annual performance report which would set out how they were improving the National Health and Wellbeing. The expectation was that the annual report would include performance against the core suite of outcome measures, supported by local measures and contextualising data to provide a broad picture of performance.

Appendix 1 to the report provided the national outcome measures aligned to a suite of performance indicators; some of these indicators were based on operational data, some were based on survey data. The annual performance report would require to report against all of these indicators. In addition to the need to report annually on performance to the Scottish Government, it was proposed that the performance framework outlined in Appendix 1 was used to provide a regular report on performance to the IJB.

The Board was informed that the CHCP performance framework had been based on the Covalent system to facilitate standard reporting. It was proposed that the performance framework for the IJB was also built on the Covalent system and that standard reports and scorecards be developed to allow regular reporting of performance to both the IJB and the Strategic Planning Group.

It was recommended:-

1. that the Shadow Integration Joint Board approve the approach to performance management as outlined in Appendix 1.
2. that a regular report on performance was provided to both the IJB and the Strategic Planning Group.

#### Decision

To approve the terms of the report.

### 11. 2015/16 BUDGET UPDATE

A report had been circulated by the Director setting out the indicative 2015/16 budget that related to Integration Joint Board functions in line with the agreed West Lothian Integration Scheme. The report also outlined summary information on the areas that had been included in the IJB budget resources and highlighted key financial issues and risks associated with the functions and budgets.

Table 1 within the report outlined the indicative budget resources associated with the IJB for 2015/16. This remained indicative until agreement of the exact elements of the budgets that constituted the delegated functions and the mechanism for sharing out the Pan Lothian budgets that represented the hosted and acute health functions that were delegated to the IJB.

Appendix 1 to the report showed the Pan Lothian Hosted Health Services and Appendix 2 provided a breakdown of indicative 2015/16 IJB budgets by service.

The Board was informed that, prior to budgets being allocated to the IJB for 2016/17, a process of due diligence would have to be undertaken on the resources proposed to be delegated by the parent bodies to the IJB. This due diligence process was referred to in Scottish Government guidance as Financial Assurance. The due diligence process would entail considering how the IJB's budget had been made up, to consider past financial performance against this budget and to reflect on what financial pressures exist and what provisions had been made and management actions taken to address those pressures.

It was recommended that the Board:-

- note the indicative 2015/16 resources associated with IJB functions.
- note the key financial issues and risks associated with the IJB functions.

### Decision

To note the terms of the report.

## 12. CLINICAL NEGLIGENCE AND OTHER RISKS INDEMNITY SCHEME (CNORIS)

A report had been circulated by the Director proposing that the West Lothian Integrated Joint Board apply to become a member of the Clinical Negligence and Other Risks Indemnity Scheme (CNORIS).

The Group Accountant explained that the CNORIS was a risk transfer and financing scheme which had been established in 1999 for NHS organisations in Scotland. NHS National Services Scotland was the scheme manager and its primary objective was to provide effective risk pooling and claims management arrangements for Scotland's NHS

### Boards and Special Health Boards.

There was provision under the Public Bodies (Joint Working) (Scotland) Act for the extension of CNORIS to Local Authorities and Integration Joint Boards. This allowed IJBs to apply to Scottish Ministers to become a member. This included cover in respect of health and social care functions were delegated to the IJB.

The report went on to provide details of the cover provided. The Board was asked to note that the risks associated with IJBs membership of CNORIS was considered low and therefore an annual contribution of £3,000 payable each financial year had been set, with notification of the contribution being confirmed in December of the preceding year.

Subject to agreement by the Board, it was intended that the application to join CNORIS would be submitted in advance of the next meeting of the IJB on 20 October 2015.

It was recommended that the Board:-

1. note that membership of CNORIS would provide cover in respect of any potential claim made against the West Lothian IJB in terms of Officers/Officials Indemnity.
2. agree that the West Lothian IJB apply to Scottish Ministers to become a member of CNORIS.

### Decision

To agree the terms of the report.