

MINUTE of MEETING of the WEST LOTHIAN INTEGRATION JOINT BOARD of WEST LOTHIAN COUNCIL held within STRATHBROCK PARTNERSHIP CENTRE, 189 (A) WEST MAIN STREET, BROXBURN EH52 5LH, on 31 MAY 2016.

Present

Voting Members – Councillors Frank Toner (Chair), Martin Hill, Alex Joyce, Danny Logue, Julie McDowell (Vice-Chair), John McGinty, Anne McMillan.

Non-Voting Members – Elaine Duncan (Professional Advisor), Jim Forrest (Director), Jane Houston (Staff Representative), Mairead Hughes (Professional Advisor), Jane Kellock (Chief Social Work Officer), Mary-Denise McKernan (Stakeholder Representative), Martin Murray (Staff Representative), Patrick Welsh (Finance Officer).

Apologies – David Farquharson.

In Attendance – Marion Barton (Head of Health Services), Alan Bell (Senior Manager, Communities and Information, WLC), Donald Forrest (Finance and Property Services, WLC) James Millar (Standards Officer), Kenneth Ribbons (Audit, Risk and Counter Fraud Manager, WLC), Carol Mitchell (NHS Lothian).

1. ORDER OF BUSINESS, INCLUDING NOTICE OF URGENT BUSINESS

The Chair informed the Board that Susan Goldsmith (Director Finance, NHS Lothian) would join the meeting later and that the order of business would be changed to allow the presentations on the Budget Setting Process (Agenda Item 9) to be heard at an appropriate time after Susan's arrival.

2. DECLARATIONS OF INTEREST

Councillor Logue declared an interest as an employee, NHS Lothian.

Councillor Toner declared an interest as a former Non-Executive Director, NHS Lothian.

3. MINUTES

(a) The Board approved the minute of meeting of the West Lothian Integration Joint Board held on 23 March 2016.

(b) The Board approved the minute of meeting of the West Lothian Integration Joint Board held on 31 March 2016.

- (c) The Board approved the minute of meeting of the West Lothian Integration Joint Board held on 5 April 2016.

4. RUNNING ACTION NOTE

A copy of the Running Action Note had been circulated for information.

Decision

To note the content of the Running Action Note.

5. PROPOSED MEETING DATES 2016/2017

A report had been circulated by the Director outlining a proposed schedule of meetings until June 2017.

The report recalled that the Board had previously agreed that a meeting should take place on 23 August 2016, but that further discussions should take place about potential dates before further decisions were made.

As part of those discussions, the requirements of the legislation about approval of the Board's annual accounts had been considered and Audit Scotland had provided information about their timescales for completing and reporting on their audit work.

To ensure compliance with the Board's Standing Orders and provide Board members with as much notice of meeting arrangements as possible, it was proposed that the following dates, in addition to the meeting already set for 23 August, were agreed for Board meetings after August 2016 until June 2017:-

2016

18 October – 2.00 pm

29 November – 2.00 pm

2017

31 January – 2.00 pm

14 March – 2.00 pm

20 April – 10.00 am

27 June – 2.00 pm

It was also proposed that the IJB meetings continued to be held in Strathbrock Partnership Centre, Broxburn, as this building met requirements for accessibility, parking and meeting space.

It was noted that dates had been drafted after taking into account legislative requirements and available date and time opportunities within NHS Lothian and West Lothian Council meeting calendars.

It was recommended that the Board agree the proposed schedule of meetings.

Martin Hill thanked the Director for his efforts in trying to accommodate Board members' diaries. However, Martin advised that he had a clash of meetings on the proposed date of 29 November 2016.

Decision

To agree the proposed schedule of meetings.

6. CODE OF CONDUCT - REPORT BY STANDARDS OFFICER

The Board considered a report (copies which had been circulated) by the Standards Officer informing Board members of the revised Model Code of Conduct for Members of Integration Joint Boards and seeking its adoption for submission to the Scottish Ministers for approval.

The Standards Officers recalled that on 20 October 2015, the Board had adopted a Code of Conduct on an interim basis, pending the conclusion of work being undertaken by the Scottish Government and the Standards Commission for Scotland to produce a Model Code specifically designed for IJBs as a specific type of public body. The Standards Officer went on to advise that, on 1 April 2016, a new Model Code had been issued and IJBs had been requested to consider it and adopt it for future use by their IJB members. There was scope for each IJB to make changes to it "in exceptional circumstances" but any such changes would require approval when adoption of the Code was reported back to Ministers.

Although the Model Code was almost identical to the Interim Code adopted by the Board in 2015, there were some changes in relation to wording and layout, but very few of any significance for Board members. A copy of the Model Code of Conduct for Members of Integration Joint Boards (April 2016) was attached as Appendix 1 to the report.

The more significant change which members were asked to consider was the inclusion of the statement that Board members who were concerned about their position in relation to the Code of Conduct should first of all seek advice from the Chair. Representations had been made in relation to the draft Model Code to change that to a seeking advice from the IJB's Standards Officer. These representations had not been taken on board.

It was now recommended that the references in the Model Code be changed to direct Board members to the Standards Officer in the first instance, rather than the Chair.

The report went on to explain the procedure for approval (or otherwise) of the adopted Code. The report also provided details of additional statutory guidance issued by the Standards Commission.

The Standards Officer recommended that the Board:-

1. note that the Scottish Ministers had issued a Model Code of Conduct for Members of Integration Joint Boards.

2. adopt the Model Code for submission to the Ministers for approval, but with amendments to Paragraphs 1.8, 5.4, 5.15 and 6.8 to direct Board members to the Standards Officer for advice, rather than to the Chair.
3. Note the recent issue by the Standards Commission of further guidance to members of devolved public bodies on relationships with employees, and the use of social media.

Decision

To approve the recommendations by the Standards Officer.

7. STRATEGIC PLAN IMPACT ASSESSMENT

A report had been circulated by the Consultant in Public Health presenting the Integrated Impact Assessment carried out on the Strategic Plan.

The report recalled that members of the Strategic Planning Group had met on 18 January 2016 to carry out an impact assessment of the draft Strategic Plan. The assessment met the requirements for Equality Impact Assessment and therefore included explicit consideration of the needs of people with protected characteristics as defined in the Equality Act (2010). It also considered the potential for wider impacts on other vulnerable population groups and determinants of health. The completed impact assessment report was attached as Appendix 1 to the report.

The recommendations made in the impact assessment were as follows:-

- The Plan should make clear that operational responsibilities for children's and adult services remain combined under the same Director, as now.
- There should be clear strategic links made with corresponding plans and governance structures for children's services.
- The Engagement Plan should include actions to engage with the voluntary sector, and with vulnerable groups including, but not only, people with protected characteristics. It should identify ways to engage with people with communication needs.
- The needs assessments for client group and locality plans should include local intelligence to ensure services are best directed to people with the greatest needs.
- There should be training in the use of 'teachback' for health and social care staff.
- The relevant needs assessment should consider differing needs of men and women as they age.

- There should be consideration of the needs of refugees.
- The strategic plan and commissioning plans should continue to focus on prevention and addressing health inequalities.

The Integration Joint Board was recommended to:-

1. approve the recommendations of the Impact Assessment on the Strategic Plan.
2. approve the use of the Integrated Impact Assessment process for subsequent commissioning and other plans.

During discussion, Martin Hill queried the review date in relation to 'Maintain focus on prevention and early intervention in the Plan' (Appendix 1, page 11) which was showing as May 2016. In response, officer undertook to update the review date.

Decision

To approve the recommendations set out in the report.

8. IJB ANNUAL ACCOUNTS COMPLIANCE

A report had been circulated by the Chief Finance Officer setting out final accounts requirements and timescales for the IJB and proposed reporting arrangements to meet compliance with the Local Authority Accounts (Scotland) Regulations 2014.

The report explained that the Chief Finance Officer of the IJB was responsible for preparing the financial statements in accordance with relevant legislation and the Code of Practice on Local Authority Accounting. This required the maintenance of proper accounting records and the preparation of financial statements giving a true and fair view of the state of affairs of the IJB at 31 March 2016.

The Board noted that the Annual Governance Statement required to be approved and submitted as part of unaudited annual accounts provided to Audit Scotland by 30 June 2016. Taking account of this, a draft Annual Governance Statement was appended to the report for approval by the Board.

The report went on to explain the provisions in relation to the unaudited accounts including the requirement for the accounts to be considered by the Board, or a committee whose remit included audit or governance, prior to submission to the external auditor. It was therefore considered appropriate for the unaudited annual accounts to be considered by the IJB Audit Risk and Governance Committee at the committee meeting scheduled on Friday 24 June 2016.

The Board was asked to note that IJBs must give public notice of the right to inspect the annual accounts and this should be done in advance of

submission of the accounts to external audit. In addition, there was a requirement to publish the unaudited accounts on the IJB website following submission to Audit Scotland and until the publication of the audited accounts.

Under the 2014 regulations, the audited accounts were required to be approved by 30 September. Following approval, and by 31 October at the latest, the audited annual accounts required to be signed and dated by the IJB Chair, Director and Chief Finance officer, and then provided to the auditor. The Controller of Audit then required audit completion and issue of an independent auditor's report.

Audit Scotland had confirmed they would be unable to complete their audit of the IJB and associated audit report to meet the timescales of the Board meeting arranged for 23 August 2016 and the next meeting of the Board was not proposed until 18 October 2016. Taking account of this, it was proposed that the annual audited accounts along with Audit Scotland's audit report be presented to the Audit Risk and Governance Committee for consideration and approval at its scheduled meeting on 23 September 2016.

It was recommended that the Board:-

1. note the requirements set out in the report.
2. approve the draft governance statement for inclusion in the unaudited annual accounts.
3. note that the unaudited annual accounts would be considered by the Audit Risk and Governance Committee on 24 June 2016.
4. agree to give authority to the Audit Risk and Governance Committee to consider and approve the audited annual accounts at its meeting on 23 September 2016, allowing Audit Scotland's deadline of 30 September to be met.

Decisions

To approve the recommendations by the Chief Finance Officer.

9. RISK MANAGEMENT - REPORT BY DIRECTOR

A report had been circulated by the Director advising the Board on the approach being taken to the management of risk and of the risk identified.

The Board was informed that the object of risk management was to ensure that risks were properly identified, assessed and managed. Under the terms of the Integration Scheme, the IJB was required to operate a risk management strategy. The risk management strategy would comprise relevant policies and procedures for the management of risk. These were currently in the process of being developed and it was expected that the IJB Risk Management Policy would be submitted to the IJB's August meeting for approval.

The Integration Scheme also required that the IJB maintain a risk register. The Director was required to produce and agree a list of the risks to be reported and monitored. A risk register had been set up using West Lothian Council's Covalent system and the risks to be reported and monitored were attached as Appendix 1 to the report. The methodology used was outlined in Appendix 2 to the report.

The Board was asked to note that the risks identified represented high level, or strategic, risks to the IJB's objectives. Operational risks were separately recorded in the risk registers of both West Lothian Council and NHS Lothian.

It was recommended that the Board:-

1. note progress on risk management as set out in the report.
2. consider the risks identified, and the control measures in place to mitigate their impact

A number of questions were raised by Board members and these were dealt with by West Lothian Council's Audit, Risk and Counter Fraud Manager.

It was also noted that those members using iPads had found the format of the appendices useful, but those members with black and white paper copies had found the copies to be inadequate.

Decision

1. To note progress on risk management as set out in the report; and
2. To note the risks identified and the control measures in place to mitigate their impact.

10. BUDGET SETTING PROCESS - PRESENTATION BY DONALD FORREST, HEAD OF FINANCE & PROPERTY SERVICES, WEST LOTHIAN COUNCIL AND SUSAN GOLDSMITH, FINANCE DIRECTOR, NHS LOTHIAN

Presentation by Donald Forrest

The Board heard a presentation by Donald Forrest, Head of Finance and Property Services (WLC) providing details of the five year financial strategy approved by West Lothian in January 2013.

It was noted that, in February 2016, the Council had approved updated budgets for 2016/17 and 2017/18.

The approach to corporate and financial planning comprised a consultation process, identification of priorities, the development of workstreams to deliver priorities and the development of a medium term financial strategy to ensure sustainability.

The Head of Finance and Property Services highlighted a number of risks and uncertainties. These were:-

- The council only had a funding settlement for 2016/17
- The level of future grant from 2017/18 onwards had not been indicated
- Possible conditions attached to the funding settlement
- Economy
- Demographics
- Inflation

The Head of Finance and Property Services considered that the council had robust medium term financial planning in place and this would continue in future. Detailed annual budgets would continue to be presented to council each year in compliance with legal requirements.

Presentation by Susan Goldsmith

A detailed presentation was given by Susan Goldsmith. The presentation slides illustrated the income funding sources to NHS Lothian and details of the various expenditure blocks.

The Board was informed that the financial planning process for NHS Lothian comprised:-

- Preparation of a consolidated financial plan based on individual business unit plans
- The development of individual forecasts and specific action plans at a Business Unit level to help strengthen the delivery of financial balance
- Ensuring that the financial impact of IJB strategic plans were reflected in the overall NHS Lothian Financial Plan

Susan then went on to explain the key elements of the 2016/17 financial plan and provided a summary showing the projected 16/17 costs and projected net position.

It was noted that measures to fund the gap had been identified, and these were:-

- Further Recovery Actions
- National Savings Initiatives
- NRAC Acceleration
- Quality Management System – Waste/Variation/Unnecessary

Interventions

Finally, Susan outlined the West Lothian IJB budget position.

The Chair reminded the Board that a report would be prepared for the IJB following confirmation of the final resources allocation by NHS Lothian.

A number of questions raised by the Board were then dealt with by Donald Forrest and Susan Goldsmith.

Decision

To note the terms of the presentations.

11. PLANNING CYCLE - REPORT BY DIRECTOR

A report had been circulated by the Director advising the Board of a proposed planning cycle which would allow detailed scrutiny of the Strategic Plan and associated Care Group Commissioning Plans.

The report recalled that the IJB had previously approved its strategic plan which included details of how high level outcomes were to be achieved through a process of strategic commissioning. The Strategic Plan also included a commitment to develop a series of care group based commissioning plans.

It was proposed that the IJB meeting schedule be structured to allow the IJB an appropriate level of scrutiny for each stage of the commissioning cycle. In addition the Strategic Plan had a specific commitment to report overall progress on an annual basis. Appendix 1 to the report provided the detail of the proposed planning cycle.

The Board was recommended to agree the planning cycle as detailed in Appendix 1 to the report.

Decision

To approve the terms of the report.

12. SCHEDULE FOR PHYSICAL DISABILITY COMMISSIONING

A report had been circulated by the Director advising the Board of the schedule for the development of the strategic commissioning plan for Adults with a Physical Disability.

Appendix 1 to the report provided a schedule for the development of the plan for Adults with a Physical Disability. The first phase of this had already been completed in respect of the analytical phase – the needs assessment.

Appendix 2 to the report provided a summary of the key themes and recommendations from the needs assessment.

Appendix 3 provided the Terms of Reference for a short life Working Group that had been established to develop the three year commissioning plan. The intention was to prepare the plan in conjunction with the Strategic Planning Group, including relevant stakeholder engagement, thereafter to present a final draft of the strategic commissioning plan for Adults with a Physical Disability to the IJB meeting on 23 August 2016 for approval.

It was recommended that the Board note the planning schedule as detailed in Appendix 1, in particular to note the commitment to present a final draft of the strategic commissioning plan for Adults with a Physical Disability to the IJB meeting on 23 August 2016 for approval.

Decision

To note the terms of the report.

13. WORKPLAN

A copy of the Workplan had been circulated for information.

Referring to Julie McDowell's departure from the Board, the Chair conveyed his appreciation of the work carried out by Julie in her role as Vice-Chair of the IJB. On behalf of the IJB, the Chair thanked Julie for her contribution to the Board.

Decision

To note the Workplan.