

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 JANUARY 2017.

Present –

Voting Members – Danny Logue (Chair), Martin Hill, Susan Goldsmith, Alex Joyce, John McGinty, George Paul (substitute for Anne McMillan) Frank Toner, Lynsay Williams.

Non-Voting Members – Ian Buchanan (Stakeholder Representative), Jim Forrest (Director), Jane Houston (Staff Representative), Jane Kellock (Chief Social Work Officer), Mary-Denise McKernan (Stakeholder Representative), Martin Murray (Staff Representative), Patrick Welsh (Chief Finance Officer).

Apologies – Anne McMillan, Elaine Duncan, Mairead Hughes and Marion Barton

In Attendance – Alan Bell (Senior Manager, Communities and Information, WLC), James Millar (Standards Officer), Steve Field (Head of Service, WLC).

1. DECLARATIONS OF INTEREST

There were no declarations of interest made.

2. MINUTES

(a) The West Lothian Integration Joint Board approved the minute of its meeting held on 29 November 2016.

(b) The West Lothian Integration Joint Board noted the correspondence arising from its previous meeting.

The Board further noted that, to date, there had been no response to the letter concerning Alcohol and Drug Partnership Funding.

The Board agreed to re-send the letter to the Cabinet Minister and to provide a copy to the Chair of NHS Lothian.

(c) The West Lothian Integration Joint Board noted the minute of the meeting of the Strategic Planning Group held on 6 October 2016.

(d) The West Lothian Integration Joint Board noted the minute of meeting of the Audit Risk and Governance Committee held on 23 September 2016.

### 3. IJB FINANCE UPDATE

The Board considered a report (copies of which had been circulated) by the Chief Finance Officer providing an update on the budget forecast position for 2016/17 and an update in relation to the 2017/18 Scottish Draft Budget, including an initial assessment of the implications for health and social care services.

The Chief Finance Officer informed the Board that, as previously reported, it was anticipated by NHS Lothian and West Lothian Council that a break even position would be achieved for 2016/17. There remained a degree of uncertainty around a number of aspects of the 2017/18 budget but an initial estimate of high level implications for both partner bodies and health and social care functions was set out in the report. This would be subject to further work over the coming weeks and months.

The report provided a table showing the most recent 2016/17 monitoring exercise undertaken by NHS Lothian and West Lothian Council.

Appendix 1 to the report provided further detail on the forecast position. An overspend of £2.095 million was forecast on the payment to the IJB and an overspend of £913,000 was forecast against the notional share of acute set aside resources attributed to West Lothian. A breakeven position was forecast for Adult Social Care services.

The Chief Finance Officer went on to explain that the updated position represented an improved outturn position of £336,000 on NHS Lothian delegated functions compared to the position previously reported to the Board on 29 November 2016. The previously highlighted key pressure areas were largely unchanged, and the improved position was largely due to reduced spend forecast in prescribing, although this area remained the most significant IJB budget pressure. Taking account of the overall breakeven position anticipated by NHS Lothian, the overspend on IJB functions would be managed and a breakeven position would effectively be achieved for 2016/17.

In relation to the draft Scottish Budget 2017/18, it was reported that Scotland's total proposed spending plans, as set out in the Draft Budget 2017/18, amounted to £38,048 million, an increase of £923.8 million compared to the 2016/17 Scottish budget. In terms of IJB delegated services, the relevant portfolio movements were shown in a table within the report. The two Scottish Government portfolios which included funding for NHS Boards and Local Government were Health and Sport (Health) and Communities, Social Security and Equalities (Local Government). These made up £22,995 million (60.4%) of the £38,048 million total 2017/18 Draft Budget. Taking account of the movement in SG funding across both portfolios, there was a cash reduction compared to 2016/17 funding levels of over £40 million.

The report went on to examine the position in relation to:- Initial NHS Lothian 2017./19 Funding Position, Initial West Lothian Council 2017/18 Funding Position, Health and Social Care Fund, Scottish Government

### Priorities for IJBs – Draft Budget 2017/18.

The Chief Finance Officer reported that it was clear from the draft 2017/18 Scottish Budget that the 2017/18 budget process would be extremely challenging for NHS Boards, Local Authorities and Integration Authorities. Compared to the very significant growth in West Lothian expenditure demands evident in 2016/17 across areas such as elderly care at home (20%), elderly care homes (11%), learning disability care (24%) and prescribing (6%), the overall cash reduction highlighted in Section C.3 of the report in Scottish Government revenue funding for portfolios including health and social care funding was clearly of concern.

At this stage there remained a number of uncertainties including confirmation still required on funding streams and work was currently progressing with NHS Lothian and the council to prepare a 2017/18 budget position for IJB delegated functions.

In terms of future year budgets, it was clear from Treasury public spending plans in place that future year funding would continue to be very constrained. Taken in conjunction with increasing demands within health and social care, it was considered important going forward that medium term financial strategy and planning was developed during 2017. Discussions were taking place with the council's Head of Finance and Property Services and the NHS Lothian Director of Finance to consider this for 2018/19 onward.

It was recommended that the IJB:-

1. Note the updated forecast outturn for 2016/17 in respect of IJB Delegated functions taking account of saving assumptions.
2. Note the provisional impact assumed on NHS Lothian and West Lothian Council funding taking account of the 2017/18 Scottish Draft Budget.
3. Note the 2017/18 Health and Social care funding included in the 2017/18 settlement and the breakdown of the funding.
4. Note the Scottish Government letter to Lothian IJBs in respect of expectations around the 2017/18 budget settlement.
5. Note that a report on the financial assurance of IJB 2017/18 budget contributions from NHS Lothian and West Lothian Council, along with proposed Directions, would be presented to the Board on 14 March 2017.

### Decision

To note the terms of the report and the recommendations by the Chief Finance Officer.

DRAFT

The Board considered a report (copies of which had been circulated) by the Director informing the Board of the comments received on the consultative draft of the Participation and Engagement Strategy and recommending responses to comment received, including changes to the strategy.

The Director recalled that, at its meeting on 11 August 2016, the IJB Strategic Planning Group had noted the terms of a draft strategy and action plan for 2016/17 that had been prepared by officers. The group agreed to put these out to consultation prior to approval by the IJB.

The report advised that consultation took place over a 26 day period extending from 16 September to 12 October. The consultation was based on a Survey Monkey questionnaire and the questions and responses were attached as Appendix 1 to the report.

The Board was informed that the number of respondents via Survey Monkey was 15. 85% of responses were from individuals and 15% were from organisations. Three email responses were also received from organisations.

Question 1 asked if the respondents agreed or disagreed with the 17 core commitments in the strategy. There was a high level of endorsement for the proposed commitments with all receiving 80% - 100% strongly agree/agree responses except PES12 (development of the website) which received 79% in the category strongly agree/agree.

Question 2 asked consultees to explain if they disagreed with any of the proposed commitments and why that was the case.

Question 3 invited additional comments on the proposed commitments.

Question 4 invited suggestions for any additional actions to be added to the action plan.

Question 5 invited any additional comments not covered by previous answers.

Responses received to questions 2-5 and the three sets of comments received by email were summarised in Appendix 2 to the report along with a recommended response.

The Board noted that the majority of comments received were positive or asked for clarification on various points. A small number had suggested revisions to the strategy, and these suggestions were summarised in the report.

A finalised strategy document showing the recommended changes was attached as Appendix 3 to the report. A finalised action plan showing recommended changes was attached as Appendix 4 to the report. Appendix 5 to the report was an integrated impact assessment of the

strategy.

The Integration Joint Board was asked to:-

1. note the comments received on the consultative draft;
2. agree the proposed responses to the comments received;
3. agree the resulting changes to the strategy and action plan for 2016/17;
4. approve the revised strategy as IJB policy; and
5. endorse the action plan for 2016/17.

Questions raised by IJB members were then dealt with by the Head of Service. In particular, the Board was informed of the development of a Plain English version and an easy-read version of the strategy.

#### Decision

1. To note the terms of the report.
2. To agree the proposed responses to the comments received and to agree the resulting changes to the strategy and action plan for 2016/17.
3. To approve the revised strategy as IJB policy.
4. To endorse the action plan for 2016/17

#### 5. ADULT SUPPORT AND PROTECTION BIENNIAL REPORT

The Board considered a report (copies of which had been circulated) by the Head of Social Policy informing members about the submission of the West Lothian Public Protection Committee's 2014-2016 Adult Support and Protection Biennial report to the Scottish Government on 31 October 2016.

The Head of Social Policy informed the Board that the West Lothian Public Protection Committee's 2014-2016 Adult Support and Protection Biennial report addressed the two years of activity and of action on adult protection; confirming that the local Adult Support and Protection multi-agency practice arrangements were operating well.

The report outlined the strong practice links that had been developed by the Public Protection Committee with those agencies providing a service to members of the public. The Public Protection Committee's commitment to developing both Intra-agency and multi-agency practice enabled it to continually strive to achieve the right support and protection for adults at risk within a public protection focus. The approach ensured it continued to routinely audit practice examples, its performance indicators and engaged with service users and carers to enable it to respond flexibly to

opportunities whilst strategically planning for the future.

The Board was asked to note the submission of the report for information.

#### Decision

To note the terms of the report.

### 6. CONSULTATION RESPONSE TO NEW NATIONAL HEALTH AND SOCIAL CARE STANDARDS

The Board considered a report (copies of which had been circulated) by the Head of Social Policy attaching a proposed response to the public consultation in relation to the proposed new National Health and Social Care Standards.

The Head of Social Policy informed the Board that a public consultation exercise had taken place on proposed new standards with all responses requiring to be submitted no later than 22 January 2017. The Board noted, however, that it had been agreed by Scottish Government because of the timescales involved, West Lothian IJB could submit their response after the close of the consultation period. Thus enabling their views to be taken into consideration however they would not be included in the final report produced following the closure of the consultation period.

The Scottish Government consultation was seeking comments as to whether anything was missing or required to be added to the standards. The consensus of opinion expressed by all at the consultation meeting was the standards were felt to be comprehensive overall with a few benefiting from some additional text predominantly to clarify meaning or context. No significant omissions were identified which was deemed to be reassuring by those participating in the consultation exercise.

The Head of Social Policy concluded that the new proposed standards should enable services to deliver and demonstrate how those who used health and social care services were able to receive a personalised service of their choice throughout their care journey in order to best improve their quality of life.

The Board was asked to approve the proposed response from the IJB, a copy of which was attached as Appendix 1 to the report.

#### Decision

To approve the proposed response as recommended by the Head of Social Policy.

### 7. SCOTTISH GOVERNMENT HEALTH AND SOCIAL CARE DELIVERY PLAN

The Board considered a report (copies of which had been circulated) by the Director advising the Board of the recently published Scottish

### Government's Health and Social Care Delivery Plan.

The Board was informed that, in December, the Scottish Government had published its Health and Social Care Delivery Plan outlining the plan for delivering the Scottish Government's Vision for improving health and social care.

The Plan set out the government's programme to further enhance health and social care services so that the people of Scotland could live longer, healthier lives at home or in a homely setting and that Scotland had a health and social care system that:

- was integrated
- focused on prevention, anticipation and supported self-management
- would make day-case treatment the norm, where hospital treatment was required and could not be provided in a community setting
- focused on care being provided to the highest standards of quality and safety, whatever the setting, with the person at the centre of all decisions.
- ensured people got back into their home or community environment as soon as appropriate, with minimal risk of re-admission.

The plan addressed challenges which were recognised in the Audit Scotland report, NHS in Scotland 2016.

Finally, the Board was informed that the IJB Strategic Plan was due to be reviewed in March 2017. It would be appropriate to take account of the Health and Social care Delivery Plan within the review.

The Board was asked to note the Scottish Government's Health and Social Care Delivery Plan and to agree to take account of the plan within the annual review of the IJB Strategic Plan.

Questions raised by Board members were then dealt with by the Director and by the Senior Manager Community Care Support and Services.

### Decision

To note the Scottish Government's Health and Social Care Delivery Plan and to agree to take account of the plan within the annual review of the IJB Strategic Plan.

## 8. SCHEME OF DELEGATION FOR IJB OFFICERS

The Board considered a report (copies of which had been circulated) by the Standards Officer seeking approval of a list of powers and

responsibilities to be delegated by the Board to its officers, as part of the Board's governance arrangements.

Currently, the Board only had one member of staff – the Chief Officer, known locally as the Director. It had other officers who were not members of its staff but who carried out duties for it (for example, the Chief Finance Officer, the Standards Officer). It also received support from officers and employees of the council and the health board. They were not employed by the Board and they were managed by the Director in his complementary roles in the management structures of those two organisations.

The Standards Officer informed the Board that one part of the Board's decision-making structures which still required to be approved was a document setting out the scope and rules for decisions being taken by officers on behalf of the Board. That document would be known as the Scheme of Delegation to Officers.

Each of the posts covered by the Scheme had its own role description used by the Board's Appointments Committee and the Board itself when the posts were first filled. It was not the Scheme's purpose to replace those or duplicate them or repeat them. The Scheme was part of a governance framework for efficient, effective and accountable decision-making amongst the Board, its committees and its officers. It was noted that the Scheme was not designed to be an exhaustive list of things that officers could do on behalf of the Board. It recorded the most significant and standing delegations of powers and responsibility to officers. There was no need for it to record temporary or one-off instructions or delegations to officers. Those were recorded in minutes of Board and committee meetings. As a general rule, it was suggested that delegations which would last for more than six months would be included.

The proposed Scheme was attached as Appendix 1 to the report.

The Board was invited to:-

1. approve the Scheme of Delegations in the appendix
2. delegate to the Standards Officer the powers to make administrative changes to the Scheme as required from time to time, and to amend and re-publish the Scheme as and when required by further delegations authorised by the Board.
3. agree that the Scheme should be comprehensively reviewed every three years.
4. note that the approved Scheme would be published alongside the Board's Standing Orders and committee and working group remits to provide an open and transparent set of decision-making rule ad procedures.

### Decision

1. To approve the Scheme of Delegations as recommended by the



Standards Officer.

2. To delegate to the Standards Officer the powers to make administrative changes to the Scheme as required from time to time, and to amend and re-publish the Scheme as and when required by further delegations authorised by the Board.
3. To agree that the Scheme should be comprehensively reviewed every three years.
4. To note that the approved Scheme would be published alongside the Board's Standing Orders and committee and working group remits to provide an open and transparent set of decision-making rules and procedures.

## 9. ETHICAL STANDARDS IN PUBLIC LIFE

The Board considered a report (copies of which had been circulated) by the Standards Officer informing the Board of duties arising under statute and guidance in relation to the ethical standards in public life regime, and inviting the Board to agree a process to ensure compliance by the Board and its members and officers.

The Standards Officer advised that the Integration Joint Board was a devolved public bodies (public body) for the purposes of the Ethical Standards in Public Life etc (Scotland) Act 2000 (the Act). The regime was built around a code of conduct.

The duties which applied to the IJB itself as a corporate body were as follows:-

- To adopt a Code of Conduct and have it approved by the Scottish Ministers
- To promote the observance by members of high standards of conduct in accordance with statutory guidance
- To assist them to observe the code in accordance with statutory guidance
- To set up a register of members' interests, and then to maintain it and make it available for public inspection, again in accordance with statutory guidance
- To appoint a Standards Officer to ensure that it met its statutory duties

The report went on to list the statutory duties relating to Board members.

It was noted that the Board and its members and officers had already made significant progress towards meeting their statutory duties. However, there were some statutory duties which still had to be met.

Those were the more general duties about promoting high standards of conduct and observance of the code in accordance with guidance. Steps had to be taken by the Boards, its members and officers to meet those promotion and observance duties, and these were examined in the report.

The steps which were proposed to ensure compliance with the statutory duties were:-

- Immediately on their appointment, the Standards Officer to provide a form for registration of interests with explanatory information and the opportunity for a meeting with the Standards Officer to explain.
- Once the entries in the form were clarified and finalised, the Standards Officer to make it publicly available as part of the Board's overall register of members' interests.
- The register and the code to be published on the internet with an explanation about the legal requirements.
- The Standards Officer to send bi-annual reminders to members to check the accuracy of their register and notify any changes within one month of them happening.
- The Standards Officer to record any notified changes and amend the register accordingly.
- The Standards Officer to inform members of any significant developments in an appropriate way, for example, by email, depending on how significant and complex they were.
- The Standard Officer to provide (at least) an annual briefing and training session each autumn for members, outwith Board meetings, on the ethical standards regime for the preceding financial year and about their duties and compliance.
- The Standards Officer to submit an annual report to the Board at its last meeting of the calendar year about the ethical standards regime.
- The current process to continue whereby there is a standing item on the agenda for Board meetings to remind members to consider their position in relation to declarations of interest and withdrawal from meetings.
- The Code and these compliance procedures to be formally reviewed by the Audit Risk and Governance Committee every three years from the date of establishment of the Board (September 2015).
- The committee's recommendations to be reported to the Board for noting and approval.

The Standards Officer recommended that members of the IJB:-

1. Note the statutory duties incumbent on the Board and its members and officers in relation to ethical standards in public life.
2. Note that the audit Risk and Governance Committee had considered the proposals in the report at its meeting on 6 January 2017 and recommended that they be adopted by the Board.
3. Agree the proposals in paragraph 5.1 of the report.

Decision

1. To note the terms of the report and;
2. To agree the proposals in paragraph 5.1 of the report.

10. WORKPLAN

A copy of the Workplan had been circulated for information.

Decision

To note the Workplan.

To note the intention to bring a paper to the March IJB meeting concerning Lothian Hospitals Strategic Plan.