

**ANGUS COUNCIL**

**10 SEPTEMBER 2020**

**ANGUS INTEGRATION JOINT BOARD - REVIEW OF INTEGRATION SCHEME**

**REPORT BY GAIL SMITH, INTERIM CHIEF INTEGRATION OFFICER**

**ABSTRACT**

The purpose of this report is to advise the Council of the legal requirement for Angus Council and NHS Tayside to review the Integration Scheme between them. It also updates Members on the terms of correspondence received from the Scottish Government confirming that, for the time being, an initial review can be undertaken due to the impact of Coronavirus with a more comprehensive review to follow. It also informs the Council that the Chief Integration Officer, in conjunction with NHS Tayside, has now undertaken an initial review, identifying some areas, topics and issues for further review and seeks approval of the areas identified which, along with any other areas identified as part of the consultation, will form part of the further review. It also seeks approval for that more comprehensive review to be undertaken, including consultation with interested parties, with a view to arriving at recommendations for a successor scheme.

**1. RECOMMENDATIONS**

It is recommended that the Council:-

- (i) notes the requirements imposed by the Public Bodies (Joint Working) (Scotland) Act 2014 on local authorities and Health Boards in relation to the review of integration schemes between them;
- (ii) notes the terms of the correspondence received from the Scottish Government in relation to the duty on local authorities and Health Boards to review their integration schemes confirming that, for the time being, an initial review can be undertaken due to the impact of Coronavirus with a more comprehensive review to follow;
- (iii) notes that the Chief Integration Officer, in conjunction with NHS Tayside, has undertaken an initial review identifying some areas, topics and issues for further review with a timescale for completion and approves the areas identified in the initial review which, along with any other areas identified as part of the consultation, will form part of the further comprehensive review;
- (iv) authorises the Chief Integration Officer, in conjunction with NHS Tayside, to undertake a more comprehensive review including consultation with interested parties;
- (v) notes that, for the time being, the existing Integration Scheme will remain in place until the more comprehensive review has been undertaken; and
- (vi) notes that further reports in respect of this matter will be submitted to the Council as the review of the Integration Scheme between Angus Council and NHS Tayside progresses.

**2. BACKGROUND**

- 2.1 In October 2015, the Scottish Ministers, by Order, and in terms of the Public Bodies (Joint Working) (Scotland) Act 2014 ("the Act"), established the Angus Integration Joint Board. Since that date, the Board has exercised strategic responsibility for health and social care services in Angus and the integration of those services.
- 2.2 Section 2 of the Act provided that where the areas of two or more local authorities fall within the area of a Health Board then each local authority and the Health Board must jointly prepare an

integration scheme for the area of the local authority. An integration scheme sets out amongst other things:-

- (i) Which integration model is to apply,
- (ii) The functions that are to be delegated in accordance with that model,
- (iii) Prescribed information to be determined by the Scottish Ministers.

The prescribed information referred to at (iii) above is set out in the Public Bodies (Joint Working)(Integration Scheme) Regulations 2014.

2.3 The current Integration Scheme between the NHS Tayside and Angus Council can be found here:-

[https://www.angus.gov.uk/media/angus\\_integration\\_scheme](https://www.angus.gov.uk/media/angus_integration_scheme)

2.4 Section 44 of the Act provides that a local authority and a Health Board must carry out a review of its Integration Scheme before the expiry of the relevant period for the purpose of identifying whether any changes to the scheme are necessary or desirable. The relevant period is defined as the period of five years beginning with the day on which the Scheme was approved by the Scottish Ministers. The current Integration Scheme between the NHS Tayside and Angus Council was approved by the Scottish Ministers on 22 September 2015. Therefore, there is a requirement for the current Integration Scheme to be reviewed by 21 September 2020.

2.5 The Act provides that in reviewing an integration scheme a local authority and a Health Board must have regard to:-

- (i) The integration planning principles set out in Section 4 of the Act; and
- (ii) The national health and wellbeing outcomes prescribed by the Scottish Ministers by regulations.

2.6 Whilst the legislation provides that in reviewing an integration scheme, the local authority and the Health Board must undertake consultation, correspondence has been received from the Scottish Government in relation to the duty on local authorities and Health Boards to review their integration schemes. This correspondence advises that, given the current work across local health and social care systems to plan their response to Covid-19, and in view of announcements made by the First Minister and the Cabinet Secretary for Health and Sport on the stringent new measures now in force throughout the UK to slow the impact of the virus, the Scottish Government has asked local authorities and Health Boards to note that it does not expect them to continue work on developing successor schemes.

2.9 The correspondence then goes on to advise that, for absolute clarity, the Act does not require the Health Board and Local Authority to produce a successor scheme, it requires a review. Health Boards and local authorities should therefore ensure that they jointly carry out the minimum requirement of a review and that this is acknowledged jointly and formally. This review can note anything that requires further work between the partners and set out plans for the completion of that work at a later date, once the current very challenging situation passes, including the production of a successor scheme. Meantime, the current Integration Scheme will remain in force.

2.10 Initial discussions have taken place between NHS Tayside and representatives from the three Tayside local authorities which has identified some areas for the more comprehensive review, including Hosting Arrangements (Primary Care Responsibilities) and Risk Sharing Agreement. These matters, along with any other areas identified as part of the consultation, will form part of the further comprehensive review. A Working Group with representation from NHS Tayside and the three Councils is being established in the short-term to co-ordinate and undertake the consultation.

### 3. CONCLUSION

Given the above, it is recommended that the Council notes the requirements on local authorities and Health Boards in relation to the review of integration schemes between them and notes the terms of the correspondence received from the Scottish Government in relation to the duty on local authorities and Health Boards to review their integration schemes in light of current circumstances relating to the Covid-19 pandemic. It is also recommended that the Council notes that that an initial review has been undertaken by the Chief Integration Officer, in consultation with NHS Tayside and that approval is given for the Chief Integration Officer, in conjunction with NHS Tayside, to undertake that more comprehensive review and consultation.

#### **4. FINANCIAL IMPLICATIONS**

There are no financial implications arising directly from this report.

**REPORT AUTHOR: David Thompson, Manager – Legal Team 1**

**EMAIL DETAILS: [ThompsonD@angus.gov.uk](mailto:ThompsonD@angus.gov.uk)**