

Agenda Item	7
Report No	HSCW/03/21

HIGHLAND COUNCIL

Committee: Health, Social Care and Wellbeing

Date: 10 February 2021

Report Title: Partnership Arrangements with NHS Highland - Update

Report By: Executive Chief Officer – Health and Social Care

1. Purpose/Executive Summary

- 1.1 This paper sets out the current position in relation to the partnership arrangements in place between the Highland Council and NHS Highland.

2. Recommendations

- 2.1 The Committee is asked to:
- i. **Note** and **approve** the current position and the proposed approach.

3. Implications

- 3.1 Resource – The resource implications will be informed by the completion of the ongoing review of the partnership arrangements in place.
- 3.2 Legal – There are legal implications in terms of the signature of a revised Integration Scheme at a date to be agreed.
- 3.3 Community (Equality, Poverty, Rural and Island) - None
- 3.4 Climate Change/Carbon Clever - None
- 3.5 Risk – None
- 3.6 Gaelic – None

4. Background and Legal Requirements

- 4.1 The Highland Council and NHS Highland entered into a Partnership Agreement in 2012, establishing the principle of service integration in relation to both children's services and adult care services and setting up the lead agency model. The Partnership Agreement remains in place.

- 4.2 In 2014, legislation resulted in the development of the Integration Scheme which was submitted to the Scottish Government for approval and represents the current working agreement between the Highland Council and NHS Highland with the Partnership Agreement remaining in place to offer detailed guidance.
- 4.3 The Partnership Agreement remains in place. The Integration Scheme however is governed by legislation and requires to be reviewed. Given the Integration Scheme was submitted to the Scottish Government for approval in June 2015, the revised scheme required to be submitted by June 2020 in accordance with the legislation as the operative date is the date of the approval of the previous scheme by the Scottish Government.
- 4.4 Until the outbreak of the Covid 19 Pandemic work was being carried out in terms of the documents governing the partnership arrangements. Members will recall being advised at a previous Committee that that work was on hold and that correspondence with the Scottish Government had indicated that it was expected at that time – summer 2020 – that the update work would be delayed for a period of 6 months hence requiring an updated integration scheme to be lodged with the Scottish Government by the end of 2020.

5. Current Position in relation to correspondence with Scottish Government in terms of that update

- 5.1 On 17th March 2020 Christina Naismith the Head of Integration Implementation at the Directorate for Community Health and Social Care in the Scottish Government wrote to all Local Authority Chief Executives and Chief Executives for Health Boards in the following terms:-

“As part of the work for establishing local arrangements for integration, the Public Bodies (Joint Working) (Scotland) Act 2014 required each Health Board and corresponding Local Authority to jointly prepare an Integration Scheme that set out which integration model was to apply, the functions to be delegated, and the financial arrangements and payments for the functions.

The legislation also requires the Local Authority and Health Board to review the Integration Scheme before the expiry date, which is five years after the scheme was approved in parliament. This means that many Integration Schemes are currently due for review.

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, please note that we do not expect you to continue work on developing successor schemes.

For absolute clarity, the Act does not require the Health Board and Local Authority to produce a successor scheme, it requires a *review*. You should therefore ensure that you jointly carry out the minimum requirement of a review, which most of you have already undertaken, 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.”

5.2 On June 24th 2020 the Interim Head of Service Adult Social Care formally responded to Ms Naismith on behalf of The Chief Executive for the Highland Council and the Chief Executive of NHSH noting the contents of this correspondence and indicating that both partner agencies have carried out an initial review and had jointly agreed that detailed revisions are required. It was said that work would continue in due course to submit that to the Scottish Government in terms of any revised timescale which may be issued. The expectation of both parties at that time was that a revised agreement should be in place within the next 6 months.

It was stressed that there is a joint commitment to carrying out a further and more detailed review of the scheme which is currently in place. It was also accepted that the financial position is challenging and this will be amplified by the challenges presented in managing the pandemic. However, a number of actions had been agreed prior to the pandemic with a view to driving change in terms of both the financial position and the outcomes for Highland's communities. Those actions would be taken forward in terms of the establishment of the Project Management Board which has now been set up. This position was reported to Committee in July and an update was provided to the Joint Monitoring Committee in October 2020.

5.3 The author of this report has then had a follow up remote meeting with Ms Naismith and reiterated the commitment to making progress in terms of the review of the Integration Scheme and the development of the Project Management Board which has now been established to make transformational change. Those actions were supported.

Since that correspondence it has become apparent that further time is required to agree final terms of a revised integration scheme. Work is ongoing in terms of the successor scheme. This work is not yet complete but there has already been significant work undertaken between the respective organisations. Both organisations have acknowledged that it had been intended to have a revised scheme in place by the end of 2020. They recognise the work that has been carried out including the establishment of the Project Management Board and have agreed that it would be preferable if the terms of the revised scheme are now sought to be agreed before the start of the new financial year.

Submission of the scheme to Government will require firstly to be approved by the relevant governance processes within both organisations these being the Highland Council and the NHSH Board. The Joint Monitoring Committee will also require to approve the revised terms. The NHSH Board have been advised of the current revised timescales and those timescales have been agreed with the Scottish Government.

Designation: Executive Chief Officer – Health and Social Care

Date: 5 January 2021

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Background Papers: