

Agenda Item	<b>7</b>
Report No	<b>JMC/12/22</b>

**Committee:** Joint Monitoring Committee

**Date:** 3 August 2022

**Report Title:** Partnership Integration Scheme Implementation and Strategic Plan Update

**Report By:** Highland Council Executive Chief Officer – Health and Social Care and NHHSH Chief Officer

**1. Purpose/Executive Summary**

- 1.1 This report provides an update to the Committee in terms of the status of the integration scheme and the work required as set out in the implementation plan to manage the partnership going forward. Key to effective joint working is a revised integration scheme to set out the parameters for that and the implementation plan provides detail of the required ongoing work.
- 1.2 Separate to that had been the work of the Programme Board which is the Committee will recall is no longer sitting. That transformation work is however sitting alongside the development of the Strategic Plan and will be reported upon in terms of this report.

**2. Recommendations**

Members are asked to:

- i. **Note** the contents of this report.
- ii. **Approve** the proposed Terms of Reference of the Property Board

### **3. Implications**

- 3.1 Resource – There are resource implications in that the revised Scheme provides for the financial arrangements in place between NHS Highland and the Council in terms of the delivery of the commissioned service. That agreement deals with administrative arrangements regarding management and reporting and also more strategic issues in terms of budget setting and the provisions for in year variations and risk management/sharing.
- 3.2 Legal – The Public Bodies (Joint Working) (Scotland) Act 2014 requires that there be an integration scheme in place between the Council and NHS Highland. Such an agreement reflecting the “Lead Agency” model in place was first agreed in 2015 and the proposed integration scheme as approved by the Scottish Government in June 2020. In terms of the 2014 Act those arrangements require to be reviewed every 5 years and it is that review which is referred to and constitutes, once approved, a legally binding agreement between The Highland Council and NHS Highland in terms of the delivery of commissioned services. Members will be mindful that the legal relationship between the two organisations may change as a result of work which is underway nationally in terms of the proposed National Care Service.
- 3.3 Community (Equality, Poverty, Rural and Island) – There are no such implication as a result of this report.
- 3.4 Climate Change/Carbon Clever – There are no climate change implications as a result of this report
- 3.5 Risk – The agreement contains provisions for managing financial and other risks that may arise from the agreement, including procedural steps for mitigating and managing risk events.
- 3.6 Gaelic – There are no Gaelic implications as a result of this report.

### **4. Background**

- 4.1 The Highland Council and NHS Highland entered into a Partnership Agreement in 2012, establishing the principle of, and arrangements for, service integration in relation to both children’s and adult health and social care services within a lead agency model, with the NHS Board taking responsibility for adult health and social care services and Highland Council taking responsibility for children’s health and social care services.
- 4.2 In 2014, subsequent legislation [the Public Bodies (Joint Working) (Scotland) Act 2014] resulted in the development of the Integration Scheme, which carried forward these arrangements. The Scheme was first approved by the Scottish Government on 25 June 2015 and contains the agreement between NHS Highland and Highland Council for integration of health and social care services within the Highland Council area. The Partnership Agreement remained in place to offer detailed supplementary guidance.

- 4.3 Given the Integration Scheme was approved by the Scottish Government on 25 June 2015, a revised scheme was required to be submitted by 25 June 2020 in accordance with the legislation as the operative date is the date 5 years after the approval of the previous scheme by the Scottish Government.
- 4.4 At the time of the Covid-19 pandemic outbreak, work was underway but given the challenges around dealing with the pandemic the Scottish Government, in March 2020, agreed to an initial review by the original June 2020 deadline and later submission of a revised Integration Scheme by 1 April 2021.
- 4.5 The scheme was submitted to the Scottish Government on 27 July 2021. Receipt was acknowledged by them and an indication was received that any comments/feedback would be provided within the following 6 – 8 weeks. A response was received on 19 November 2021. The nature of the response received related almost entirely to drafting matters. The comments made by the Scottish Government were considered, and a joint view reached that the comments could be agreed as not representing any material change. The arising amendments made to the Integration Scheme that was previously before the Committee were reflected in a table provided by the Scottish Government. This table is attached at **Appendix 1**, which details the non-material changes. Those changes were accepted made and the Integration Scheme as amended in those terms and submitted to the Scottish Government for final approval. Approval was granted by the Scottish Ministers on 21 February 2022. For completeness, the final Integration Scheme is provided at (see attachment).

## 5. Current Position

- 5.1 As such the Partnership are now working to the terms of the integration scheme previously reported to this Committee and as noted above.
- 5.2 The publication on 3 February 2021 of the Independent Review of Adult Social Care in Scotland (referred to as “The Feeley Report”) and the subsequent National Care Service consultation are likely to have a significant impact upon the current partnership arrangements. At the time of writing the National Care Service Bill has now been published and is out for consultation. It is envisaged that in the first instance that the scope of the proposed service be limited to adult social care. The Bill provides that there will be further consultation in terms of the inclusion of children services and justice.

## 6. Actions consequent upon the Revised Scheme

- 6.1 In reviewing the Integration Scheme and preparing a draft revised one, members will recall that areas were noted that require further work.
- 6.2 The specific obligations and actions within the Integration Scheme have been extracted and set out into an Integration Scheme Implementation Plan at **Appendix 1**. Operationally, this high level plan included for Members’ reference, is supported by a separate and more detailed project plan.
- 6.3 The key vehicle for both overseeing the delivery of the Integration Scheme, and ensuring appropriate reporting and support to this Committee, is the **Joint Officer Group (JOG)**.
- 6.4 This group had previously met but had been in abeyance for some time. This group was re-established in June 2021 and is now meeting on a regular basis, to ensure the

necessary attention and rigour to the required Integration Scheme actions. Those actions are set out within the implementation plan and are being taken forward. This Committee will be kept apprised in terms of the work being carried out to progress these actions.

- 6.5 In terms of the implementation plan at Table A of **Appendix 1** (reference para 6.33 of the Scheme) it is intended that a Property and Asset Management Board be established. Such a Board is required in terms of managing property issues which arise in relation to partnership business. Some scoping work has been carried out in terms of identifying officers who require to be involved in the works of such a Board and Terms of Reference have been prepared and are attached as **Appendix 2** to this report. The Board has now held its inaugural meeting and 2 further meetings. Those Terms of Reference have been agreed.

The Board reports into the Joint Officer Group and any relevant issues will be reported to this Committee.

- 6.10 A key part of that implementation work, is the need to deliver a Strategic Plan. Once that is in place the Partnership will be in a position to develop the necessary performance management framework to ensure proper assurance and scrutiny in terms of the vision set out within that plan. That plan is in place in terms of the Integrated Children's Service Plan but the Committee will be aware that there is ongoing work in terms of the Strategic Plan in relation to the delivery of adult care services.

## **7 Preparation of the Strategic Plan**

- 7.1 The Public Bodies (Joint Working) (Scotland) Act 2014 requires integration authorities to prepare a Strategic Plan that sets out the arrangements for integration functions and how these will achieve the national health and wellbeing outcomes. Following presentation of a proposed approach to developing the Strategic Plan to the Joint Officer Group and Joint Monitoring Committee, a working group was established to support progress with participation from a range of expertise across sectors and experiences. The monthly working group commenced in April 2022 and the ambition is to produce a full draft of the plan by December 2022/January 2023 which will be followed by a period of consultation.
- 7.2 The working group sessions to date have focussed on discussing the scope and format of the plan where the group reviewed an example of a Strategic Plan and considered the needs of the final outcome to ensure connection and accessibility of the plan for communities, workforce and partners; collating national standards and policies informing the plan and developing a contents structure to enable an action tracker to be developed; and designing an engagement process and approach in creating the plan being mindful of wider engagement and consultation asks that have taken place, are ongoing or planned.
- 7.3 An action plan and timeline overview have been prepared to guide and monitor the progress of the strategic plan development. Key activities and the anticipated timescales are presented in **Appendix 3**.
- 7.4 The Committee will recall that in terms of that vision various transformational workstreams had been progressed and that continues. It is important that those workstreams are consistent with the vision to be set out within the Strategic Plan. The work in terms of monitoring those projects is considered by the Joint Officer Group. To date a revised transitions guidance document has been agreed and a revised financial protocol. These documents have been approved.

- 7.5 Progress has also taken place in terms of the development of a Shared Lives model for Highland. This project commenced as part of the transformation programme and is continuing. Shared Lives is a care and support service for people aged 16+ who want to live independently in their community, within the home of a family with whom they are matched. It's an alternative to supported living or residential care and schemes are regulated by the Care Inspectorate.
- 7.6 Research has highlighted the positive outcomes for younger adults with complex needs, but opportunity is not limited to this group or to providing full time homes. There is also potential to match older adults to carers providing respite from their own home. Along with much improved outcomes for those who are cared for through Shared Lives, significant savings have been realised by organisations when compared with more traditional care and support approaches.
- 7.7 In Highland, it is thought that such a programme could build on the existing supported lodgings programme within Children's Services and would provide a more community-based and much better geographical spread of support across Highland for both younger and older adults.
- 7.8 A small project Team led by the Depute Director of Adult Social NHS Highland with representation from both Adults and Children's Services, is currently working with the national centre of expertise 'Shared Lives Plus' to develop a business case and options appraisal. Options being explored include whether to set up the service 'in-house' or to commission the service to a third sector partner and which age and need should be the initial focus of the service. A demographic analysis of the area will also assist with understanding the potential and best approach to recruitment of carers across the Highlands.
- 7.9 It is anticipated that the business case and options appraisal will be ready for a decision by September. This will be followed by the development of an implementation plan for the service.
- 7.10 The committee will recall also that another of those transformational workstreams identified was a Community Led support workstream and that work is also ongoing.

Designation: Executive Chief Officer – Health and Social Care, THC  
Chief Officer, NHSH

Date: 18 July 2022

Author: Fiona Malcolm, Head of Integration Adult Social Care  
Gillian Grant, Interim Head of Commissioning

**Attachments:**

Appendix 1– Implementation Plan

Appendix 2 – Property Board Terms of Reference

Appendix 3 – Strategic Plan Timeline and update

Integration Scheme Action Plans - 16 March final

TABLE A – ACTIONS TO FURTHER INTEGRATION ARRANGEMENTS WITH PROGRESS REPORTS TO JMC		
Section of Scheme	Action	Comments
6.33	<p>Establish Joint Property and Asset Management Board.</p> <p>Remit set out in this section:</p> <ul style="list-style-type: none"> <li>- Review property arrangements and make recommendations to the Partners on long-term arrangements. To include fully worked up action plans and proposed procedures for the sale/lease/sub-lease of property, the destination of capital receipts, the possible insertion of economic burdens in titles to be transferred, and any restriction on sale or hand back (should property cease to be used for Delegated Functions) by the Receiving Authority and related matters.</li> <li>- Review all insurance policies and arrangements, including the process for payment of premiums, process for ensuring compliance with insurance provisions, process for each Partner advising the other of changes or claims, and make appropriate recommendations to the Partners.</li> <li>- Ensure that the interest of NHS is noted on any commercially tenanted policies of insurance maintained by HC re Adult Services DF Accommodation, with a waiver of subrogation rights against NHS under those policies.</li> <li>- Review property related indemnity arrangements and make appropriate recommendations to the Partners.</li> <li>- Consider and recommend to the Partners a procedure for considering the calculation of annual maintenance budgets.</li> <li>- Consider and recommend to the Partners a procedure for considering the property implications of any additions to/removals from Delegated Functions that may be proposed in any future reviews of this Scheme.</li> <li>- Manage issues that may arise from time to time regarding occupation of property, including maintenance thereof, and use of telephony, and ICT infrastructure within the premises.</li> <li>- Consider any outstanding issues relating to arrangements for IPR, databases, ICT Infrastructure, Special Equipment, and other equipment, vehicles, furniture etc., that has not been agreed by the Partners by the end of March 2022, as provided for in clause 6.34.</li> <li>- Consider and recommend to the Partners arrangements for any property to be used to support delivery of Integrated Services and not subject to either a Shared Occupancy Agreement or Licence to Occupy.</li> </ul>	
6.34	<p><b>By end March 2022</b>, discuss and agree revised arrangements in relation to IPR, databases, Special Equipment, and any other equipment, vehicles, furniture etc, that may have been made available to support integrated services, in parallel with work relating to the longer-term approach to ICT Infrastructure (8.6)</p>	
8.4	<p>Agree Joint Controller Agreement to manage the sharing of information.</p>	
8.6	<p>Agree revised arrangements in relation to databases and longer-term approach to ICT infrastructure.</p>	
8.11	<p>Agree Joint Protocol for Media Management in relation to delegated functions. To include handling of information re disputes and emergencies.</p>	
13.1.4 and 13.2.4	<p>Joint development of Performance Management Frameworks.</p>	

Integration Scheme Action Plans - 16 March final

<b>TABLE B – ACTIONS FOR JMC</b>		
<b>Section of Scheme</b>	<b>Action</b>	<b>Comments</b>
Appendix 1 and Regs	Develop Standing Orders.	To include matters set out in regs. Issue of casting vote when dealing with disputes referred to it.
Appendix 1	Consider the application of relevant local performance indicators and outcomes.	
	Develop set agenda.	Including: joint project workstreams; progress against strategic plans/performance reports; financial reports; complaints monitoring; risk register (and balanced scorecards).
	Agree annually a forward schedule of meeting dates. Min. quarterly meetings.	
	Consider publication of agendas, reports and minutes.	

<b>TABLE C – ACTIONS FOR PARTNERS</b>		
<b>Section of Scheme</b>	<b>Action</b>	<b>Comments</b>
1.1 and annex 1	<b>By no later than 1 October 2021</b> , supported transition for Business Support of Children’s Services.	
2.7	JOG – ensure operating as envisaged.	
6.30.3	Discussions re HC holding earmarked reserves on behalf of NHSG for Adult Services. (If agreed, HC may need to amend their Reserves Policy to cater for this.)	Subject to discussion re sec. 6 with HC.
7.1 and Annex 6	Consult on draft reviewed scheme before finalising it.	Draft Consultation Summary prepared. <b>DATES: 2 – 30 APRIL 2021</b>



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<b>TABLE D – RECURRING ACTIONS FOR PARTNERS</b>			
<b>Section of scheme</b>	<b>Frequency</b>	<b>Action</b>	<b>Comments</b>
6.14	Monthly	NHS to invoice THC re HC Share of the VAT.	
6.59 and 6.61	Monthly (within 20 working days of each month end)	Provide each other with budget monitoring reports.	
6.32.3	Quarterly	Reports from NESH to THC on maintenance performance and actual expenditure incurred re properties occupied under Licence to Occupy.	
6.62 and 6.63	Quarterly	Payment of Financial Contributions (one quarter) to each other and other invoiced sums.	
13.1.2 and 13.2.2	Quarterly	Performance reports to JMC.	
6.3	Annually (prior to start of Financial Year)	Partners to advise each other formally by letter of the amount of the Financial Contribution for the forthcoming Financial Year.	
4.1.5	Annually (April)	Provide each other with an organogram that will show any organisational changes that have taken place.	
6.3	Annually (date to be agreed)	Report to Adult Services Resources and Commissioning Group (or successor Group) or Chief Executive Officer and the Children’s Services Resources and Commissioning Group (or successor Group) or Chief Executive Officer, to highlight the financial forecast and provide detail in relation to pay increases, inflationary costs and any demand led cost pressures and other adjustments as provided for in clause 6.9.2. To enable relevant groups/persons to make recommendations to partners re the amount of the Financial Contribution.	
6.5	Annually (by 1 Sep)	Directors of Finance (or equivalent posts) to meet to consult on their proposed timetables for forward financial planning and budget setting and so far as possible to agree a consistent schedule for production of key information required by each Partner in considering the level of its Financial Contribution for the forthcoming Financial Year.	
6.8	Annually (no later than 1 Oct)	Negotiations associated with determining the amount of the Financial Contribution for a given Financial Year to begin. (To be completed by 31 Jan each year.)	

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6.26.4 and 6.30.3	Annually	Discuss and agree arrangements for year end over/underspends.	
6.32.1	Annually	Revenue budget transfer by THC to NHSH for property (under Licence to Occupy) maintenance.	
6.32.1	Annually	NHSH to submit to HC Capital Investment Programme re property subject to Licences to Occupy.	
6.49	Annually	Directors of Finance (or equivalent posts) to provide each other with a full set of their organisation's audited accounts and separately produce an income and expenditure statement for the Arrangements; this statement will show the Financial Contribution received from the other Partner, expenditure made, any resulting over/under-spend and a brief report identifying the causes of any over/under-spend	
6.51	Annually	Notify each other of any material issue that arise during the accounts closure process in respect of the Arrangements, that will affect the accounts of the other Partner	
6.54	Annually	Provide each other with copies of final accounts and reports on such accounts.	
Act	Annually	Prepare and publish Performance Report and provide copies to each other and JMC.	
7.3 and Act	3-yearly (min.)	Reviews of Strategic Plans.	
	3-yearly	To review and confirm/change JMC appointed membership.	Note provided for reference/records re JMC membership.
Preamble and Act	5-yearly (min.)	Jointly review Scheme.	
4.1.7 and Annex 3	Periodic	Review arrangements for provision of Pan Highland services to both children and adults to assess if they continue to be appropriate.	
5.1	Periodic	Review of organisational development.	
5.1	Periodic	Review of policies and procedures for staff development and support.	
	Periodic	Review of progress of workforce harmonisation.	
13.1.2 and 13.2.2	Periodic	Reviews of targets to ensure continued relevance and reflection of national and local outcomes. (Any change in targets to be proposed to JMC.)	
13.1.4 and 13.2.4	Periodic	Joint reviews of Performance Frameworks to assess if they continue to be appropriate or require further development.	
1.1	As needed	Discuss and agree further detail around transitions.	
4.1.5	As needed	Keep each other apprised of management and organisational changes at strategic, area and district levels.	
6.65	As needed	Any new charges for Adult Services or proposed increase that exceeds the average in year Consumer Price Index uplift will be put forward by NHS Highland for consideration and approval by The Highland Council.	
13.3	As needed	Provide JMC with additional performance exception reporting and early warning of material variations in performance, together with any necessary remedial plans.	

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4.2.10.2 4.2.12.2	Throughout duration of scheme.	Ensure that the principles, Professional Leadership Framework, and structure are embedded when commissioning independent sector services.	
6.45	Throughout duration of scheme.	Ensure that all contracts entered into in connection with the exercise of any Delegated Functions contain provisions allowing the Lead Agency (without any requirement to obtain the consent of the other party to the contract) to assign or novate the contract to the other Partner following upon termination of the relevant Delegation Function.	
6.20 and 6.21	Throughout duration of scheme.	Directors of Finance (or equivalent posts) to advise each other in writing Of: <ul style="list-style-type: none"> <li>- any matter which will, or is likely to, affect significantly the Financial Contribution payable by the other Partner or budgets for Conjunction Functions in respect of the current or immediately succeeding Financial Year.</li> <li>- any matter which will, or is likely to, affect significantly the Financial Contribution or budgets in respect of Conjunction Functions in the current Financial Year or the period covered by the Performance Management Framework. This is to include any material revision to grant income, any material write off of stocks or income, as well as any significant service and operational matters.</li> </ul>	
7.4	Throughout duration of scheme.	Focus on continued engagement	

**NHSH / THC**  
**Joint Property and Asset Management Board**  
**Terms of Reference**  
**V0.4**

In terms of the Integration Scheme in place between The Highland Council and NHS Highland, it is anticipated that there be established a Joint Property and Asset Management Board (the “Board”).

In terms of the scheme, the Board is required develop a long term model for property ownership and management to support delivery of integrated services to:

1. Review all property arrangements and to make recommendations to the Partners on such long-term arrangements. Recommendations will include fully worked up action plans and include proposed procedures for the sale/lease/sub-lease of property, the destination of capital receipts, the possible insertion of economic burdens in titles to be transferred, and any restriction on sale or hand back (should property cease to be used for Delegated Functions) by the Receiving Authority and related matters.
2. Keep under review any joint projects which may be agreed by the partners which may relate to the acquisition of use of property, assets and associated issues pertaining to the partnership.
3. Consider whether any capital expenditure shall be required on the basis that each Partner shall submit such proposals to the Board as it shall consider appropriate for such funding to the other Partner with details of:
  - the capital requirement;
  - which of the Partners is to incur the Capital Expenditure;
  - any transfers of funding to be made between the Partners ownership of any newly acquired asset and any arrangements for use by the Partners or third parties, including any limitations as to use; and
  - the revenue consequences which are incurred directly as a result of capital expenditure
4. Review all insurance policies and arrangements, including the process for payment of premiums, process for ensuring compliance with insurance provisions, process for each Partner advising the other of changes or claims, and make appropriate recommendations to the Partners.
5. Ensure that the interest of NHSH is noted on any commercially tenanted policies of insurance maintained by THC re Adult Services DF Accommodation, with a waiver of subrogation rights against NHSH under those policies.
6. Review property related indemnity arrangements and make appropriate recommendations to the Partners.
7. Consider and recommend to the Partners a procedure for considering the calculation of annual maintenance budgets.
8. Consider and recommend to the Partners a procedure for considering the property implications of any additions to/removals from Delegated Functions that may be proposed in any future reviews of this Scheme.

9. Manage issues that may arise from time to time regarding occupation of property, including maintenance thereof, and use of telephony, and ICT Infrastructure within the premises.
10. Consider any outstanding issues relating to arrangements for IPR, Databases, ICT Infrastructure, Special Equipment, and other equipment, vehicles, furniture etc., that has not otherwise been agreed by the Partners.
11. Consider and recommend to the Partners arrangements for any property to be used to support delivery of Integrated Services and not subject to either a Shared Occupancy Agreement or Licence to Occupy.
12. Discuss and agree revised arrangements in relation to IPR, Databases, Special Equipment, and any other equipment, vehicles, furniture etc, that may have been made available to support integrated services, in parallel with work relating to the longer-term approach to ICT Infrastructure to ensure that such arrangements support the further development of Integrated Adult Services and Integrated Children's Services and are fully aligned with the aims and outcomes intended to be achieved by the Arrangements.
13. Keep the Joint Officer Group apprised of any decisions made by this Board by provision of the minutes, issue log, action log and risk log.
14. Keep the Joint Monitoring Committee apprised on any decisions which have an impact on the delivery of integrated services or the delivery of the Strategic Plan and provide reports on such aspects in such form, as the Joint Committee may direct from time to time.

## **Operating Procedures**

### **Membership**

Membership of the Board is made up of officers from both partner organisations and comprises:

- The Head of Estates from NHS Highland or an appointee on his behalf
- The Head of Property Services from The Highland Council or an appointee on his behalf
- The Director of Finance from NHS Highland or an appointee on his behalf
- The Executive Chief Officer of Resources from the Highland Council or an appointee on his behalf.
- The Head of Integration of Adult Social Care from the Highland Council
- The Head of Commissioning from NHS Highland
- Such additional members with a responsibility for service delivery as the Board require
- Such additional members appointed by the Joint Monitoring Committee as it sees fit.

## Chairperson

- **Interim joint/co chairs** for initial 3 month period: Head of Integration of Adult Social Care from the Highland Council and Head of Commissioning from NHS Highland;
- **Ongoing joint/co chairs:** Head of Property Services from the Highland Council and Head of Estates from NHS Highland

## Administration

- Meetings will be held monthly and action notes of the proceedings of such meetings
- Decisions made at that meeting will be submitted to the Joint Officer Group for approval / noting.
- **(TBC** at inaugural meeting) to provide / arrange agenda and action note.
- Action note to be issued within 2 days of the meeting.
- **(TBC** at inaugural meeting) to provide drafting and version control for:
  - issues log
  - action log
  - escalation log
  - risk log

# HHSCP Strategic Plan Development Timeline

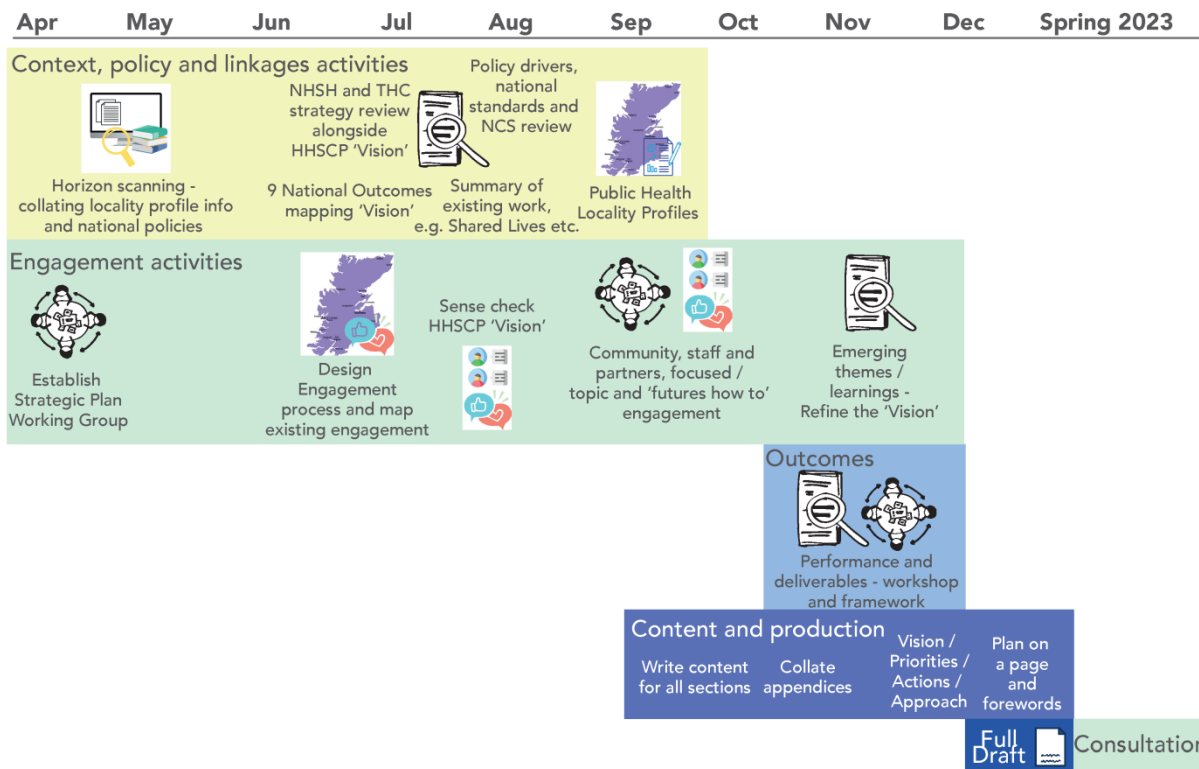


Figure 1. Action Timeline Overview

## Strategic Planning Group

The formal Strategic Planning Group (SPG) relaunched on 27<sup>th</sup> July 2022. The formal group will meet quarterly replacing every fourth working group session. The SPG involves participation from across sectors and experiences to ensure representation following that prescribed in the legislation. A revised Terms of Reference has been prepared and will be refined based on review by members of the SPG. Governance of the SPG and the Strategic Plan working group is outlined in Figure 2.

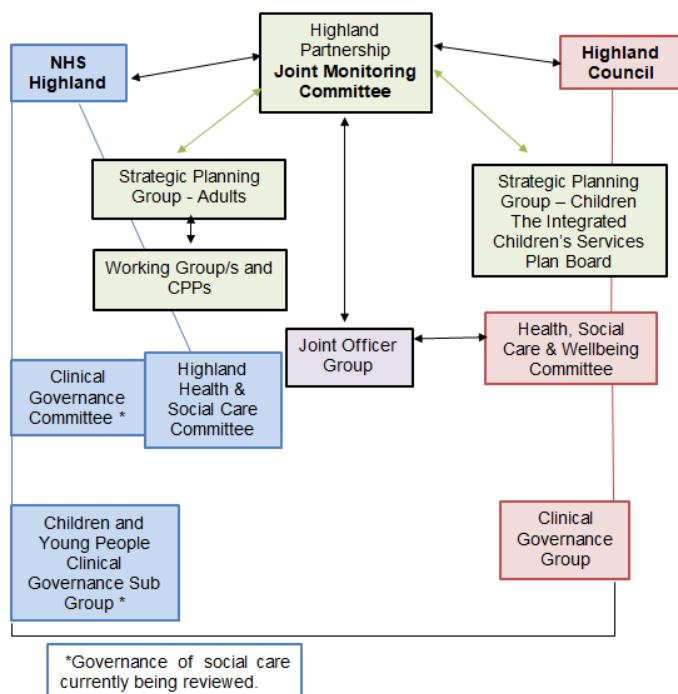


Figure 2. Governance arrangements for the Strategic Planning Group and associated Working Group