

## Minute of Integration Joint Board Meeting

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**Date:** Thursday 24<sup>th</sup> January 2019

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**Time:** 9.30am

**Place:** Elgin House Meeting Room, Ailsa Hospital, Ayr

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### **Present**

Stewart Donnelly (Chair)

Councillor Brian McGinley (Vice-Chair)

Councillor Julie Dettbarn

Lesley Bowie

Councillor William Grant

Councillor Ian Davis

Margaret Anderson

Linda Semple

Karen Hedge, Representative Member – Independent Sector

Marie Oliver, VASA Development Manager, Depute Representative Member – 3<sup>rd</sup> Sector

Hugh Millar, Representative Member - Public Partnership Forum

Susan Dodds, Representative Member – Carers

### **In Attendance**

Tim Eltringham, Chief Officer (Director of Health and Social Care)

Rob Whiteford, Chief Finance Officer

Billy McClean, Head of Community Health and Care Services

Rosemary Robertson, Nursing Advisor

Dr Crawford McGuffie, Medical Practitioner who is not a GP

Elaine Hill, Senior Manager – Allied Health Professions

Phil White, Partnership Facilitator

Marie Keirs, Service Finance Team Co-ordinator

Bill Gray, Senior Manager - Planning & Performance

Elaine Young, Assistant Director for Public Health

Jayne Miller, Senior Manager, Children's Health Services

Dawn Parker, Corporate Parenting Officer

Laura Conaghan, Administration Assistant

### **Also Present:**

Eileen Howat, Chief Executive, South Ayrshire Council

**Stewart Donnelly in the Chair.**

## 1. Apologies for Absence

Apologies for absence were received on behalf of Councillor H Hunter, Ewing Hope and Dr C Mudunuri.

## 2. Declarations of Interest

There were no Declarations of Interest by Members of the Board in terms of Standing Order No. 7, the Standards in Public Life – Code of Conduct for Members of Devolved Public Bodies.

## 3. Minute of Previous Meeting

The minute of the meeting held on 12<sup>th</sup> December 2018 ([previously circulated](#)) was approved by the Board.

## 4. Matters Arising

A paper was submitted ([previously circulated](#)) updating Members of the Board on matters arising from previous meetings of the Integration Joint Board and the following was noted:

HSCP Workforce Plan – There is work in progress to produce an HSCP Workforce Plan and this is due to be published in draft form by 31<sup>st</sup> March 2019.

Technology Enabled Care Strategy – The future provision of technology enabled care in South Ayrshire will be considered as part of the on-going budget process for future years.

Pan-Ayrshire Community Phlebotomy Service – A progress report will be submitted to the Board in March 2019.

Pan-Ayrshire Psychology Review – An interim progress report was submitted to the Board in June 2018, however, due to the rescheduling of Board meetings, it was indicated that the next update report will be submitted to the Board in February 2019.

Strategic Risk Register – Due to work in connection with the overall budget position, an updated report will be submitted to the February IJB meeting.

Red Cross Report – Continued funding of the Red Cross Home from Hospital Service will be considered as part of the budget discussions.

Preventing Drug Related Deaths: A Framework for Ayrshire & Arran – An update report is to be provided on an annual basis and as such an update report will be submitted in May 2019.

Strategic Planning, Commissioning and Delivery of Health & Social Care Services – The Chief Officer reported on this. A Strategic Working Group has been created to work together to review integration services and improve integration outcomes. Publication of guidance for Integrated Services from the Ministerial Strategic Group will be published by March 2019.

Care at Home Commissioning Plan – This plan is currently on hold due to the recent budget position and will be reviewed following budget setting in April 2019. Care arrangements with care providers remain the same and continue to be managed under the provisions of the outgoing Framework. Discussions to take place with South Ayrshire Council in an effort to move this item forward.

Financial Management Report to Period 6 – an update will be given under agenda item 5.

Budget Recovery Plan – this will be discussed under agenda item 5.

Budget Recovery Plan – an update on progress of the IJB commissioned review of operational and support capacity within the HSCP will be given by the Chief Officer at today's meeting.

Services for Older People in South Ayrshire – an update will be given under agenda item 6.

Integration of the Contacts and Commissioning Team to the Council's Procurement Service – This was discussed at the three-way meeting of the Parties on 8<sup>th</sup> January 2019. A paper will be submitted to the Board on 13<sup>th</sup> February, 2019.

## **5. Request for Additional Funding for 2018-19 (Private report for IJB Members only)**

A report was submitted by the Chief Finance Officer on the request for additional temporary funding to underwrite the projected overspend on the 2018-19 Integrated Budget.

Prior to discussions, Mr Gray reminded Board Members of the confidential nature of this paper and highlighted the confidentiality requirements set out in the Code of Conduct for Members of the South Ayrshire Integration Joint Board which states at Section 3.11: *"There may be times when you will be required to treat discussions, documents or other information relating to the work of South Ayrshire IJB in a confidential manner. You will often receive information of a private nature which is not yet public, or which perhaps would not be intended to be public. You must always respect the confidential nature of such information and comply with the requirement to keep such information private"*.

At the last meeting of the Board it was agreed that representatives from South Ayrshire Integration Joint Board would meet with representatives of South Ayrshire Council and NHS Ayrshire & Arran to discuss a request for additional funds, under the provisions of the Integration Scheme, as a result of the current budget position. The Chief Finance Officer advised that this meeting took place on 8<sup>th</sup> January, 2019.

The meeting with the Parties on the 8<sup>th</sup> January 2019 had also discussed the IJB's request to consider the in-year underspend on the Prescribing Budget and whether this should be returned to NHS Ayrshire & Arran, as requested by the NHS Board. The Chief Finance Officer indicated that the three-way meeting had agreed to recommend

to the IJB that the underspend on the Prescribing Budget in 2018-19 be returned to the Health Board.

The Chief Finance Officer advised that a letter was sent to John Burns, Chief Executive of NHS Ayrshire & Arran and Eileen Howat, Chief Executive of South Ayrshire Council, by the Chair and Vice Chair of South Ayrshire Integration Joint Board, requesting additional funding in the current financial year and seeking their interpretation of the Integration Scheme relating to how this might be provided and in what proportion. Responses to this letter were set out in Section 4 of the of the Chief Finance Officer's and Chief Officer's report. The Chief Finance Officer also sought similar advice from the Scottish Government which was also set out in Section 4.

The Chief Finance Officer requested that the Board agree that the Chief Officer write to South Ayrshire Council, on its behalf, requesting that the Council provide the full amount of the temporary funding of up to £4.12m, given that the projected overspend is as a result of the likely in-year expenditure on Children and Families Social Work/Care Services and on Care Home places and Care at Home Services. The Chief Finance Officer informed the Board, if successful in this request that this funding is likely to be repayable in full to South Ayrshire Council over the next 4 years, which would result in a repayment of approximately £900k per year.

The Chief Officer stressed that it is critical a decision is made today regarding this matter to allow for a letter to be issued requesting temporary funding. The Chief Officer noted that a robust and credible budget would be required to be set for 2019/20 to allow the IJB to issue directions to the Council and the Health Board to commission services within the totality of the resource available. Mr Eltringham recommended that Board Members approve the recommendations contained within the report.

The Chair echoed the advice of the Chief Officer in relation to this matter.

Councillor Grant asked why it is being recommended that the request for additional funding be submitted solely to South Ayrshire Council. The Chief Officer advised that this is because budgets delegated by the Health Board and the Council have not yet been fully integrated and the projected overspend is in service areas delegated by the Council to the IJB.

Councillor McGinley agreed that the request for additional funds should be submitted to both Parties. Councillor McGinley expressed his concern over the wording of the current Integration Scheme and in particular the section on budget setting which he stated lacked clarity.

Ms Howat, Chief Executive of South Ayrshire Council, advised that the Council is in a difficult budget position and as an officer she would be recommending that the responsibility for providing additional funding be a split between the Parties. Ms Howat

added that the IJB would require to create a Budget Recovery Plan and acknowledge that any additional funds granted are repayable.

Ms Bowie questioned if a Budget Recovery Plan would be ready to be presented to the Leadership Panel in February 2019 and if not, what the plan would be moving forward? The Chief Officer advised that if an agreement was not reached between the IJB and the two Parties, the Dispute Resolution Section of the Integration Scheme would require to be followed.

Councillor McGinley advised, in his opinion, that it is important for Board Members to deliver decisions for the Integration Joint Board as Board Members and not to act, primarily, as members of the bodies that appointed them. Councillor McGinley urged Board Members to review the advice given by the Scottish Government and decide if the request for additional funding should be submitted jointly to both bodies rather than to only one of the Parties.

The Chair stated due to current budgets not being integrated, that it would be difficult to suggest that the projected overspend be apportioned between the Parties. The Chief Officer acknowledged that the biggest area of likely overspend is within Children and Families Social Care Services.

Councillor McGinley suggested that a letter be issued to both Parties requesting funding. Ms Bowie agreed stating, however, that she would not support the principle of the overspend being split on a 50/50 basis between the Parties. Ms Semple stated that she would support the approach recommended by Councillor McGinley, but was concerned that there may ultimately be a need for the matter to be referred for mediation and could not support a request being submitted on a 50/50 basis. Councillor Davis advised that the Integration Scheme requires to state clearly how overspends will be met, but recognised that it will take time for this to be changed and agreed by all parties. He stressed that the implications of what is agreed at this meeting will affect SAC and NHS budgets.

Ms Howat informed the Board if a decision is not reached at the meeting that there is a possibility that the Chief Officer in his role as Director of Health and Social Care may incur expenditure that would be contrary to the provisions of the Council's Financial Regulations. The Chief Officer noted if this is the case that he and the Chief Finance Officer may have to seek independent legal advice and that this may trigger the dispute resolution mechanism.

In conclusion, Councillor McGinley again proposed that the Board write to both Parties. Ms Bowie with support from Ms Semple stated that the IJB needs to take responsibility for the current financial position. Ms Semple added that the Parties should make the decision regarding the proportion of the split.

In response to a question, the Chief Officer advised that the letters would be issued to the Chair of the NHS Ayrshire & Arran Board and the Leader of South Ayrshire Council.

**The Board agreed to return an £833k in year underspend to NHS Ayrshire & Arran from the Prescribing Budget and to issue a Direction to the NHS Ayrshire & Arran Board giving effect of this decision.**

**With regards to the matter of additional funding, the Board agreed to request the Chief Officer write on its behalf to the Leader of South Ayrshire Council and the Chair of the NHS Ayrshire and Arran Board requesting that they jointly fund the deficit on the IJB budget for 2018-19, recognising that the Board is committed to working jointly with the Parties to agree an amended Integration Scheme that clearly establishes its governance responsibilities and those of each Party and in this, considers information to be published shortly by the Ministerial Strategic Group. The Board expressed a wish to seek a joint resolution of this matter and to avoid a need for formal dispute resolution.**

## **6. Indicative IJB Integrated Funding Requirements for 2019-20**

A report was submitted by the Chief Finance Officer and the Chief Officer on the proposed IJB funding requirements for 2019-20 including details of demand led funding pressures and possible service investments.

In discussion the Board agreed that an IJB Budget Working Group of four Voting Members (2 from each Party) be created to develop and scrutinise budget proposals for 2019-20 and future years. The IJB Chair, Councillor McGinley, Ms Bowie and Councillor Dettbarn were agreed by the Board to sit on the Budget Working Group. Setting a balanced budget for 2019-20 will also address the issue of budget recovery.

The Chief Finance Officer took Board Members through the contents of Appendix 1 to the report and highlighted that Investments are often ring fenced for specific services and cannot be spent within different areas. Mr Whiteford explained, at this time, that the funding position is clearer for South Ayrshire Council than it is for NHS Ayrshire & Arran, as set out in Section 3.7.3 of the report.

The Chief Finance Officer noted that there is a material overspend in the current financial year on residential placements for children and this remains a high risk, low volume service. Mr Whiteford strongly advised the Board that a discussion must be had with the Parties to discuss this area of activity, the IJB's role in decision making in this area of service and the potential that it has to impact adversely on other key areas of IJB activity such as Older People or delayed discharge.

The Chief Finance Officer highlighted the current £8.2m funding gap identified in the report for 2019-20 and emphasised that this must be addressed.

It was noted that there is a need for a credible Budget Recovery Plan. Councillor McGinley stated that the paper helps the Board understand the pressures going forward, however, added that the Board needs more clarity on the detail of the budget and all of its responsibilities in this regard. He added that the Board requires to be more imaginative in the use of resources.

Councillor McGinley queried how the uplift for the payment of sleepovers to £10.95 per hour will affect the budget. Mr Gray explained that this is a requirement from the Scottish Government that was announced by the Cabinet Secretary. However, unlike the other increases in the Scottish Living Wage, no additional funding had been provided by Government to meet the additional costs involved. It was noted that the sum proposed would be payable to service providers from 31<sup>st</sup> March, 2019. Mr Gray added, if agreed, that discussions will take place with providers regarding the proposed rate.

Ms Anderson sought clarification regarding the length of a typical sleepover. Mr Gray advised that these vary depending on the needs of the service users concerned. He added that the Partnership has been working with South Ayrshire Council to develop new core and cluster housing which will allow services to be provided in ways that will see service user outcomes being better met while delivering Best Value for Commissioners and Providers.

**The Integration Joint Board agreed (1) to consider and approve the indicative integrated resource requirement for 2019-20 attached at Appendix 1 and agreed to present it to the Parties for consideration as part of the annual budget setting process as being the resources necessary to deliver the Strategic Objectives and Implementation Plan as set out in its currently approved Strategic Plan for 2018-21; (2) to recognise that this contains a current funding gap of £8.2m and, as a consequence, agrees to establish a Budget Working Group to urgently develop recovery proposals to eliminate the gap; (3) to receive update reports on progress at its planned meetings on 13<sup>th</sup> February and 13<sup>th</sup> March, 2019; and (4) that the rate payable for sleepovers provided through the Independent and Third Sectors be set at £10.95 per hour from 31<sup>st</sup> March, 2019.**

## **7. Integration Joint Board and other Meetings in 2019/20**

A report was submitted ([previously circulated](#)) by the Director of Health and Social Care proposing dates for Integration Joint Board and other meetings in 2019-20.

Mr Gray advised the Board that consultation had taken place with the relevant services in South Ayrshire Council and NHS Ayrshire & Arran to ensure that the proposed dates do not conflict with any other statutory meetings.

**The Board agreed to approve the meeting dates proposed.**

## 8. Corporate Parenting Plan

A report was submitted ([previously circulated](#)) by the Director of Health and Social Care seeking approval of the 2018-2021 Corporate Parenting Plan.

The Chair introduced Jayne Miller, Senior Manager, Children's Health Services and Dawn Parker, Corporate Parenting Officer to the Board.

Ms Miller explained that the purpose of the report is to seek approval of the Corporate Parenting Plan for 2018-21 and to recommend that this be presented to other Corporate Parents for approval. Ms Miller explained that the Plan has been prepared in accordance with the provisions of the Children and Young People (Scotland) Act 2014 and will be reviewed every three years.

Ms Young explained that the Scottish Government is carrying out an independent review of care in Scotland and there will be an opportunity to benchmark the work done through South Ayrshire's Corporate Parenting Plan. Ms Parker advised that South Ayrshire Champions Board has been involved in the preparation of the Plan and have engaged young people throughout to ensure they agree with its contents. Ms Semple stated that she welcomed the design of the document and with other Board Members appreciated the promises made to young people.

The Chief Officer noted that this Plan identifies and highlights the responsibilities of Corporate Parents and acknowledged that this is not a role that is taken lightly.

**The Board agreed to approve the Corporate Parenting Plan which covers the period 2018-2021 and to submit it to other appropriate organisations for their consideration and approval.**

## 9. Any Other Business

The Chief Officer suggested due to the length of the meeting that the remaining items of business on the agenda be carried forward to the next meeting for consideration.

**This was agreed by the Board.**

As there were no further matters to discuss, the meeting was closed at 12.55pm.

## 10. Date of Next Meeting

2.00pm on Wednesday 13<sup>th</sup> February 2019, Eglinton House, Ailsa Hospital, Dalmellington Road, Ayr, KA6 6AB.