



## INTEGRATION JOINT BOARD

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| <b>Date of Meeting</b>                  | 25 April 2023  |
| <b>Report Title</b>                     | Integration Scheme and IJB Scheme of Governance Review   |
| <b>Report Number</b>                    | HSCP23.023   |
| <b>Lead Officer</b>                     | Fraser Bell, Interim Chief Operating Officer   |
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| <b>Consultation Checklist Completed</b> | Yes  |
| <b>Directions Required</b>              | No   |
| <b>Appendices</b>                       | Appendix A – Revised Integration Scheme<br>Appendix B – Revised Standing Orders<br>Appendix C – Revised Terms of Reference<br>Appendix D – Revised Roles and Responsibilities Protocol<br>Appendix E – Revised Code of Conduct<br>Appendix F – Table of Changes to Scheme of Governance<br>Appendix G – Table of Changes to the Integration Scheme<br>Appendix H – HIA Summary |

### 1. Purpose of the Report

- 1.1. The purpose of this report is to present the revised Integration Scheme to the Integration Joint Board (IJB) for endorsement and to present the revised Scheme of Governance to the IJB for comment and approval.

### 2. Recommendations

- 2.1. It is recommended that the Integration Joint Board (IJB):



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- a) Endorse the amended Integration Scheme (as attached at Appendix A);
- b) Approve the Revised Standing Orders for the IJB (as attached at Appendix B), with effect from 1 May 2023;
- c) Approve the Revised Terms of Reference (as attached at Appendix C, with effect from 1 May 2023);
- d) Approve the Revised Roles and Responsibilities Protocol (as attached at Appendix D, with effect from 1 May 2023);
- e) Approve the Revised Code of Conduct (as attached at Appendix E), with effect from 1 May 2023;
- f) Instruct the Chief Officer of the IJB to report to the IJB through the regular Chief Officer's report when the Scottish Government has approved the revised Integration Scheme; and
- g) Agrees to appoint the Chief Operating Officer to substitute for Chief Officer in the absence of the Chief Officer.

### 3. Summary of Key Information

#### Introduction

- 3.1. The Integration Scheme is the legal document through which Aberdeen City Council and NHS Grampian delegate functions to the IJB. The Integration Scheme is endorsed by both of these partner organisations before being submitted to the Scottish Government for final approval. The Scottish Government have received the revised Integration Scheme and are currently reviewing it.
- 3.2. The Aberdeen City Integration Scheme was first approved in 2016 ahead of the formation of the IJB. It was then revised in 2018. This first revision was primarily to take account of the introduction of the Carers (Scotland) Act 2016, but also changed a wide variety of other areas of the Scheme.
- 3.3. The Public Bodies (Joint Working) (Scotland) Act 2014 requires that the Integration Scheme be reviewed at least once every five years. This means that the partner organisations were required to complete a review in 2023. The partner organisations have approved the revised Integration Scheme and have submitted it to the Scottish Government for final approval. The



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changes made to the Integration Scheme and the rationale for these changes are set out below and at Appendix G.

- 3.4. The 'Scheme of Governance' is the name given to the suite of documents which set out how the IJB will operate and do business. The Scheme of Governance is comprised of the Standing Orders, Terms of Reference, Roles and Responsibilities Protocol and Code of Conduct. The Scheme of Governance is reviewed on an annual basis, with any changes being presented to the IJB for approval. The IJB last approved changes to the Scheme of Governance in June 2022.
- 3.5. In recent previous years, the review of the Scheme of Governance has necessarily been limited by the response to the COVID-19 pandemic. However, this year, officers have been able to conduct a more thorough review of the Scheme. Officers believe that the proposed revisions to the Scheme of Governance will assist the IJB to continue making high-quality decisions.
- 3.6. The proposed changes made to the Scheme of Governance and the rationale for these changes are set out in more detail below. Given the wide-ranging nature of these changes, there is also a summary document attached at Appendix F which lists the changes in an easy-to-read format.

### Integration Scheme

- 3.7. As noted above, the Integration Scheme is the legal document through which Aberdeen City Council and NHS Grampian delegate functions to the IJB. The Public Bodies (Joint Working) (Scotland) Act 2014 makes it clear that the Integration Scheme is a document prepared and approved by the partner organisations, rather than by the IJB itself. Accordingly, the IJB is asked to endorse the changes made to the Integration Scheme, rather than to approve them.
- 3.8. However, officers have ensured that the Chair and Vice-Chair of the IJB and the Aberdeen Health and Social Care Senior Leadership Team and officers were involved in the process of revising the scheme. Officers widely consulted on the changes to the Integration Scheme before presenting the



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revised scheme to the partner organisations for approval in February 2023. As required by law, officers consulted a wide variety of groups on the Integration Scheme. This consultation was carried out in late 2022 and feedback from consultees was incorporated into the proposed Integration Scheme.

**3.9.** Following consultation, the partner organisations have approved a significant number of changes to the Integration Scheme, which are set out in detail at Appendix G. The most significant changes are:

- The inclusion of the recently approved Whistleblowing Policy
- More robust reflection of the recently agreed joint Locality Planning Arrangements
- More community involvement in planning
- The inclusion of hosted Mental Health Services
- The addition of pharmaceutical services for under 18's

**3.10.** In addition, the partner organisations agreed to create a new post; the Chief Operating Officer. The Chief Operating Officer shall support the Chief Officer of the IJB, be responsible for the strategic leadership of the Partnership and the delivery of the IJB's Strategic Plan. If approved by the IJB, the Chief Operating Officer shall also substitute for the Chief Officer in the absence of the Chief Officer.

**3.11.** The newly revised Integration Scheme will remain in place for a maximum of five years. However, given the ongoing plans to implement a National Care Service within that period, it is likely that new arrangements will need to be put in place before 2028.

### **Standing Orders**

**3.12.** The IJB's Standing Orders regulate the manner in which meetings of the IJB and its committees are managed. This includes the manner in which meetings are called, speaking at meetings and voting.

**3.13.** Currently, the Terms of Reference for both of the IJB's committees also contain some standing orders for each of those committees. These have been removed and incorporated within the Standing Orders in the revised



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version of the Scheme of Governance. This is intended to ensure clarity about the procedures to be followed at committees and at the IJB.

**3.14.** Aside from now incorporating all Standing Orders in one document, the revised version at Appendix B has also made some substantive changes to the Standing Orders themselves. As detailed in Appendix F, these are largely aimed to improve the clarity of the Standing Orders and to remove duplicate wording. However, there are a number of more substantial changes to the documents, which are listed below:

- More clarity provided on how live webcasting of meetings is to take place and permitting the Chair to make decision on public access
- Making it explicit that the Chair has the power to accept late papers onto the agenda
- Making the process of moving a motion or an amendment clearer
- Permitting Members to requisition a meeting by email, rather than requiring a wet-ink signature.

### Terms of Reference

**3.15.** The Terms of Reference set out the remit and responsibilities of the IJB and its committees. The current Scheme of Governance sets out the terms of reference for the IJB, the Risk, Audit and Performance Committee (RAPC) and the Clinical Care and Governance Committee (CCGC) across three documents. Officers propose combining these into one document, titled 'Terms of Reference'.

**3.16.** This proposal is intended to make it easier to find, read and compare the Terms of Reference. The revised Terms of Reference also have an added structure chart and introduction. Again, both of these additions are intended to make it easier to understand how the IJB operates and how the committee structure works.

**3.17.** As noted above, the current terms of reference for RAPC and CCGC contain what are effectively standing orders for each committee. These have been removed in the revised document order to ensure that there is clarity about the procedure to be followed at each committee.



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- 3.18.** The revised Terms of Reference at Appendix C has also made some changes to the terms of reference themselves. As highlighted in Appendix F, the majority of changes made to the Terms of Reference were made for clarity and ease of understanding. In a number of areas, the current Terms of Reference refer to documents which have been superseded. In these cases, the references have been changed.
- 3.19.** The most substantial change made to the Terms of Reference relates to the IJB's status as a Category One Responder under Civil Contingencies legislation. In practice, the Risk, Audit and Performance Committee has been responsible for monitoring the IJB's performance in this area. This has been formalised in the revised Terms of Reference, making it explicit that RAPC are responsible for this area.

### **Roles and Responsibilities Protocol**

- 3.20.** The Roles and Responsibilities Protocol sets out the responsibilities and remit of the Chief Officer, Chief Finance Officer, Chief Operating Officer and key personnel within the Aberdeen City Health and Social Care Partnership.
- 3.21.** The current Roles and Responsibilities Protocol also sets out the terms of reference for the IJB. As noted above, officers propose moving this part of this document into a new combined Terms of Reference.
- 3.22.** In addition to the change above, the revised Roles and Responsibilities Protocol at Appendix D also has a number of changes to improve the clarity and readability of the Protocol. These are highlighted in the table at Appendix F.

### **Code of Conduct**

- 3.23.** The IJB has a Code of Conduct which all IJB Members are required to follow when acting as a Board Member. The IJB is required to have a Code of Conduct in place. The IJB's Code of Conduct is approved by the Scottish Government.



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**3.24.** The current IJB Code of Conduct was approved by the IJB in June 2022. The current code significantly revised the previous Code of Conduct to reflect a new Model Code of Conduct for Public Bodies, which was published by the Standards Commission in late 2021.

**3.25.** The revised Code of Conduct at Appendix E does not significantly alter the current Code of Conduct. Importantly, the revised Code of Conduct does not alter the obligations or responsibilities of Members in any way. Instead, as Members will see from the changes highlighted in Appendix F, the revisions made to the Code of Conduct are technical and non-material in nature. Officers have confirmed with the Standards Commission that the revisions are non-material and will not require Scottish Government approval.

### **4. Implications for IJB**

#### **4.1. Equalities, Fairer Scotland and Health Inequality**

In accordance with Scottish Government guidance, a Health Inequality Impact Assessment workbook summary was completed. This summary did not identify any unexpected differential impacts. The summary is attached at Appendix H.

#### **4.2. Financial**

There are no direct financial impacts arising from this report.

#### **4.3. Workforce**

There are no direct workforce impacts arising from this report.

#### **4.4. Legal**

As noted above, the Integration Scheme is a document prepared by the partner organisations, rather than the IJB itself. As such, the Integration Scheme is not approved by the IJB.





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The Scheme of Governance is reviewed on an annual basis. This ensures that the IJB's governance arrangements remain in line with the law. In particular, the annual review of the standing orders ensures that the IJB complies with its obligations under The Public Bodies (Joint Working) (Integration Joint Boards) (Scotland) Order 2014,

### **4.5. COVID-19**

There are no direct COVID-19 impacts arising from this report.

### **4.6. Unpaid Carers**

There are no direct unpaid-carer impacts arising from this report.

## **5. Links to ACHSCP Strategic Plan**

5.1. Annual reviews of the IJB's Scheme of Governance help ensure that the Board and its Committees are functioning effectively, which in turn feeds into the achievement of the ACHSCP Strategic Plan.

## **6. Management of Risk**

### **6.1. Identified risks(s)**

The Scheme of Governance directly impacts on IJB Governance, which in turn directly impacts on a wide array of identified risks. Good governance is an effective control against many of the risks identified on the risk register.

### **6.2. Link to risks on strategic or operational risk register:**

There is a risk that relationship arrangements between the IJB and its partner organisations (Aberdeen City Council & NHS Grampian) are not managed to maximise the full potential of integrated & collaborative working. This risk covers the arrangements between partner organisations in areas such as governance; corporate support services; and performance.





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There is a risk of reputational damage to the IJB and its partner organisations resulting from complexity of function, delegation and delivery of services across health and social care.

### **6.3. How might the content of this report impact or mitigate these risks:**

The regular review of the Scheme of Governance aims to maintain the integrity of the IJB's governance system and as such will help to mitigate these risks.