

Board Meeting
26 September 2018

Lanarkshire NHS Board
Kirklands
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**SUBJECT: Amendment to the North Lanarkshire
Health & Social Care Integration Scheme (August 2018)**

1. PURPOSE

This paper is coming to the Board:

For approval	<input checked="" type="checkbox"/>	For endorsement	<input checked="" type="checkbox"/>	To note	<input type="checkbox"/>
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The Board is asked to:

1. Endorse the changes proposed to revise the North Lanarkshire Integration Scheme and support the removal of Children's and Families Social Work and Criminal Justice Social Work from the Scheme;
2. Note that this amendment will result in the removal of paragraph 1.12 from the North Lanarkshire Integration Scheme;
3. Agree that together with North Lanarkshire Council, the Health Board will submit the revised scheme to Scottish Ministers for approval as laid out in Section 46 of the Public Bodies (Joint Working) (Scotland) Act 2014; and
4. Approve the proposal to review the model of integration in North Lanarkshire, to be concluded by 31 March 2019, or as soon as possible thereafter, and note that the Terms of Reference will be shared with Board Members in due course.

2. ROUTE TO THE BOARD

Prepared	<input checked="" type="checkbox"/>	Reviewed	<input type="checkbox"/>	Endorsed	<input type="checkbox"/>
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by the NHS Chief Executive, in conjunction with the Chief Executive of North Lanarkshire Council.

This proposal was discussed at the NHS Lanarkshire Board meeting on 29 August 2018, and further information was sought. This paper provides the additional information requested.

3. PROPOSAL

3.1 Change to Integration Scheme

North Lanarkshire Council wish to remove the undernoted services from the North Lanarkshire Health & Social Care Integration Scheme (as adopted by the parent bodies dated 23 February 2018), and set out in paragraph 1.12.

1.12 North Lanarkshire Council and NHS Lanarkshire have agreed that Children and Families Social Work and Criminal Justice Social Work should be included within the functions that are to be delegated to the North Lanarkshire Joint Integration Board.

It is proposed that both of these services would be managed by North Lanarkshire Council's reconfigured Education and Families Service; subject to approval at the Council's Policy and Resources Committee on 27 September 2018.

The Health Board is being asked to give their support to this realignment of Council services, endorse the changes proposed by the Council, and agree to revise the Integration Scheme.

3.2 Legislative background

In considering such a transfer of responsibilities the Health Board and the Council need to be cognizant of the Public Bodies (Joint Working) (Scotland) Act 2014, specifically Section 6 (Consultation) and Section 7 (Approval of Integration Scheme).

Consultation aspects are covered separately in section 13 of this report.

Section 7 (Approval of Integration Scheme) sets out that the Integration Scheme should be submitted to Scottish Ministers for approval. Further, in Section 46 (Revised Integration Scheme) (sub section 6), it states that "the local authority and the Health Board must jointly submit the revised scheme to Scottish Ministers for approval under section 7".

It is the view of the Chief Executive of NHS Lanarkshire (supported by the NHS Central Legal Office), and the Chief Executive of North Lanarkshire Council (supported by North Lanarkshire Council Legal Services) that because these services are non-mandated services, their removal can be agreed by the parent organisations. Children and Families Social Work and Criminal Justice Social Work are not services that "must" be delegated by a local authority under the Public Bodies (Joint Working) (Prescribed Local Authority Functions etc.) (Scotland) Regulations 2014.

Therefore it is permissible that NHS Lanarkshire and North Lanarkshire Council may agree to remove these services from the Integration Scheme. As noted above, this is subject to approval at the Council's Policy and Resources Committee.

The revised scheme will be submitted to the North Lanarkshire Integration Joint Board, and then to Scottish Ministers for formal approval to meet the requirements set out in Section 46 of the Act.

Functions whose delegation was at the discretion of the integrating authorities principally related to Children and Families, and Criminal Justice Social Work. A review of Local Authorities across Scotland reveals only 37% (12) delegated children's social work services to the Integrated Partnership, while 50% (16) delegated criminal justice social work services.

South Lanarkshire Council, and Fife Council, for example, chose not to integrate either Children's Social Work Services or Criminal Justice Social Work Services.

3.3 Rationale

There are clear synergies between the work of Education, and Children and Families Services, and it is considered that better progress on improving outcomes - to ensure equality and equity across all of North Lanarkshire's communities - can be achieved by vesting the responsibility for managing these services together and with the Council.

This proposal is in line with the national approach, Getting it Right for Every Child (GIRFEC), the values and requirements of the Children and Young People (Scotland) Act 2014, Child Poverty (Scotland) Act 2017, and the national Education Governance review. This would build on existing foundations and partnerships, while facilitating new ones, to enhance a whole system approach that ensures a clear focus on the child or young person in line with GIRFEC.

There is also a strong argument to say that the removal of Children, Families and Justice Services will make the structural task of full integration easier, allowing the Health and Social Work Managers and the Health & Social Care Partnership to focus on the statutory Older and Younger Adults Services and the acceleration of progress around key outcomes such as delayed discharge, discharge to assess, or re-ablement.

3.4 Local Drivers

Trends in the social, economic and environmental conditions prevalent in North Lanarkshire's communities show that while there have been positive improvements in a number of key indicators relating to economic growth, investment, employment and educational attainment, there are still unacceptably high levels of deprivation and child poverty, and clear areas of inequity and inequality remaining (**Appendix A**).

This means that not all of North Lanarkshire's residents share equally in this improving picture and there is a degree of social exclusion across our diverse towns and communities.

3.5 Impact on NHS Lanarkshire services and NHS Lanarkshire staff

The Children, Families and Justice Service is, to all intents and purposes, still a standalone operational unit under the responsibility of the Chief Social Work Officer. It is a Council service. This includes all leadership and operational elements required for the delivery of the service including the Chief Social Work Officer's statutory and professional oversight role as Chief Social Work Officer.

The removal of these services as a "block" service from the Integration Scheme would have a marginal impact on three NHS Lanarkshire staff, who are exclusively at locality

management level. It should be noted that this request by the Council does not impact on the NHS structure around paediatric services and its management.

The Board is being asked to

1. Endorse the changes proposed to revise the North Lanarkshire Integration Scheme and support the removal of Children's and Families Social Work and Criminal Justice Social Work from the Scheme;
2. Note that this amendment will result in the removal of paragraph 1.12 from the North Lanarkshire Integration Scheme; and
3. Agree that together with North Lanarkshire Council, the Health Board will submit the revised scheme to Scottish Ministers for approval as laid out in Section 46 of the Public Bodies (Joint Working) (Scotland) Act 2014.

4. REVIEW OF INTEGRATION MODEL

The Scottish Government requires every Integration Authority to review its integration scheme before the expiry of the relevant period of 5 years beginning with the day on which the scheme was approved, and each subsequent period of 5 years¹.

It is proposed that North Lanarkshire Council and the Health Board initiate a review of the model of integration for North Lanarkshire. The review will primarily be focussed on the model of integration rather than the operational structure being deployed to deliver it.

It is acknowledged that the Local Review may run in parallel with a National Review. It may actually help inform the National Review and anything coming out nationally that has a direct impact on it, will be played into the Local Review. The timeline for concluding this review is 31 March 2019, or as soon as possible thereafter.

The Terms of Reference for the review will be shared with Board Members in due course.

The Board is being asked to

4. Approve the proposal to review the model of integration in North Lanarkshire, to be concluded by 31 March 2019, or as soon as possible thereafter, and note that the Terms of Reference will be shared with Board Members in due course.

5. NEXT STEPS

A similar report will also be presented to the North Lanarkshire Council Policy and Resources Committee on 27 September 2018, given that both partners require to approve the Integration Scheme, and any amendments to this.

On completion of both of these routes of approval and related consultation, the revised Integration Scheme will be formally submitted to Scottish Ministers. Board Members will be updated on the progress of the review of the model of integration as appropriate.

6. STRATEGIC CONTEXT

This paper links to the following:

Corporate objectives	<input type="checkbox"/>	LDP	<input type="checkbox"/>	Government policy	<input type="checkbox"/>
Government directive	<input checked="" type="checkbox"/>	Statutory requirement	<input checked="" type="checkbox"/>	AHF/local policy	<input type="checkbox"/>
Urgent operational issue	<input type="checkbox"/>	Other	<input type="checkbox"/>		

7. CONTRIBUTION TO QUALITY

This paper aligns to the following elements of safety and quality improvement:

Three Quality Ambitions:

Safe	<input checked="" type="checkbox"/>	Effective	<input checked="" type="checkbox"/>	Person Centred	<input checked="" type="checkbox"/>
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Six Quality Outcomes:

Everyone has the best start in life and is able to live longer healthier lives; (Effective)	<input type="checkbox"/>
People are able to live well at home or in the community; (Person Centred)	<input checked="" type="checkbox"/>
Everyone has a positive experience of healthcare; (Person Centred)	<input type="checkbox"/>
Staff feel supported and engaged; (Effective)	<input type="checkbox"/>
Healthcare is safe for every person, every time; (Safe)	<input type="checkbox"/>
Best use is made of available resources. (Effective)	<input checked="" type="checkbox"/>

8. MEASURES FOR IMPROVEMENT

As noted above (para 3.3), it is the view of the Council that there are clear synergies between the work of the Council Education Services and Children and Families, and this change will lead to better progress on improving children and families health and education outcomes by vesting the responsibility for managing these services together, and with the Council.

9. FINANCIAL IMPLICATIONS

There are no direct financial consequences arising from this report for the Health Board. Any re-organisational costs arising will be the responsibility of the Local Authority to meet.

10. RISK ASSESSMENT/MANAGEMENT IMPLICATIONS

There are no risk management implications associated with this proposal. It is also important to note that South Lanarkshire Integration Joint Board do not have Children and Families Social Work or Criminal Justice Social Work within their Integration Scheme. This change has no impact on the South Lanarkshire Integration Joint Board Scheme.

11. FIT WITH BEST VALUE CRITERIA

This paper aligns to the following best value criteria:

Vision and leadership	<input checked="" type="checkbox"/>	Effective partnerships	<input checked="" type="checkbox"/>	Governance and accountability	<input checked="" type="checkbox"/>
Use of resources	<input type="checkbox"/>	Performance management	<input type="checkbox"/>	Equality	<input type="checkbox"/>
Sustainability	<input type="checkbox"/>				

12. EQUALITY AND DIVERSITY IMPACT ASSESSMENT

Has an E&D Impact Assessment has been completed?

Yes

An Equality Impact Assessment will be undertaken by North Lanarkshire Council as part of the proposal being discussed at the Policy & Resources Committee on 27 September 2018.

13. CONSULTATION AND ENGAGEMENT

Public Bodies (Joint Working) (Scotland) Act 2014, Section 6 (Consultation) states that NHS Lanarkshire and North Lanarkshire Council are required to consult with the prescribed consultees, and such persons that NHS Lanarkshire and North Lanarkshire Council think fit. The revised Scheme will therefore be updated and submitted to the Integration Joint Board.

14. ACTIONS FOR THE BOARD

The Board is asked to:

1. Endorse the changes proposed to revise the North Lanarkshire Integration Scheme and support the removal of Children's and Families Social Work and Criminal Justice Social Work from the Scheme;
2. Note that this amendment will result in the removal of paragraph 1.12 from the North Lanarkshire Integration Scheme;
3. Agree that together with North Lanarkshire Council, the Health Board will submit the revised scheme to Scottish Ministers for approval as laid out in Section 46 of the Public Bodies (Joint Working) (Scotland) Act 2014; and
4. Approve the proposal to review the model of integration in North Lanarkshire, to be concluded by 31 March 2019, or as soon as possible thereafter, and note that the Terms of Reference will be shared with Board Members in due course.

Approve	<input checked="" type="checkbox"/>	Endorse	<input checked="" type="checkbox"/>	Identify further actions	<input type="checkbox"/>
Note	<input type="checkbox"/>	Accept the risk identified	<input type="checkbox"/>	Ask for a further report	

15. FURTHER INFORMATION

For further information about any aspect of this paper, please contact Calum Campbell, Chief Executive, NHS Lanarkshire.

¹**Undernote**

Public Bodies (Joint Working) (Scotland) Act 2014

Section 44 Review of integration scheme

... (2) The local authority and the Health Board must carry out a review of the scheme before the expiry of the relevant period for the purpose of identifying whether any changes to the scheme are necessary or desirable.

... (5) In subsection (2), the “relevant period” means—

... (a) the period of 5 years beginning with the day on which the scheme was approved...

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LOCAL DRIVERS

Key statistics for North Lanarkshire:

- Significantly higher levels of child poverty; with all except two wards above the Scottish average. In the worst ward one third of children are living in poverty;
- 21% of children live in households that experience both a low income and material deprivation;
- 32% live in a low income household (but not in material deprivation, although may still be at risk of poverty);
- 41% live in a household in material deprivation (but not on a low income and may have only recently moved out of poverty);
- 95% of looked after children are looked after in a community setting - this is one of the highest rates in Scotland. Of these 70%, on average, are looked after in a home setting, 25% within another community setting such as foster care, and less than 5% in residential setting such as children's houses;
- Educational outcomes for looked after children have improved, however there are still large gaps compared with all children. In 2017, 96.2% of all pupils achieved 1 or more qualification at SCQF (Scottish Credit & Qualifications Framework) level 3 or above, this dropped to 78% for looked after children;
- There have been increases in attainment in reading and numeracy at Primary 3, Primary 5, and Primary 7 across all schools together with evidence that the poverty-related attainment gap is narrowing in reading and numeracy in those schools which are involved in the Scottish Attainment Challenge;
- On average throughout 2017/18, 150 children were on the child protection register. Child protection referrals fluctuate, but the latest figures show 303 referrals in the quarter;

- While the rate of registration remains below the national average, the number of children subject to child protection registration has shown an overall increase in recent years. This is consistent with national trends;
- Crime rates in North Lanarkshire (482 per 10,000 population) are the seventh highest in Scotland and higher than the national average (442 per 10,000 population);
- The highest crime rates tend to relate to fire raising and vandalism and other crimes (e.g. drug related), and miscellaneous offences (such as common assault, breach of the peace, drunkenness and other disorderly conduct);
- There were 1,622 community payback orders imposed in the last financial year, a slight drop from the previous year;
- The population of children age 0 to 15 is expected to decrease by 2,833 by the year 2026 and then by a further 3,112 by the year 2041;