

EAST RENFREWSHIRE COUNCIL**1 March 2018****Report by Chief Officer - HSCP****EAST RENFREWSHIRE HSCP INTEGRATION SCHEME - AMENDMENT****PURPOSE OF REPORT**

1. To seek approval for amendment of the East Renfrewshire HSCP Integration Scheme required in the light recent amendments to the Public Bodies (Joint Working) Scotland Act Regulations. The updates are minor changes to the schedules of delegated functions to support the implementation of the Carers (Scotland) Act 2016.

RECOMMENDATION

2. That the Council:-
 - (a) approve the amendments to the East Renfrewshire HSCP Integration Scheme;
 - (b) authorise submission of the amended scheme to Scottish Ministers for final approval; and
 - (c) grant delegated authority to the Deputy Chief Executive to amend the Council's Scheme of Delegated Functions once the amended Integration Scheme has been approved by Scottish Ministers

BACKGROUND

3. The Public Bodies (Joint Working) (Scotland) Act 2014 (the 2014 Act) establishes the legal framework for integrating health and social care in Scotland. The Act required the Council and the Health Board to jointly prepare consult upon and then approve an *integration scheme* for their local integration authority and submit that scheme for final approval to Scottish Ministers.
4. In June 2015 East Renfrewshire Council and the NHSGC received formal confirmation that the Scottish Government had approved their Integration Scheme, thereby enabling the establishment of the new arrangements for East Renfrewshire. The Order made by Scottish Ministers formally established the IJB with the effect from 27 June 2015.
5. The Integration Scheme details the role and responsibilities of the Integration Joint Board which in essence are:
 - Being responsible for the strategic planning of its integrated services (as set out in Annexes 1 and 2 of the scheme. Annex 1 of the Integration Scheme details the Health Board functions and services to be delegated to the IJB, whilst Annex 2 details the Council functions and services to be delegated).

- Being responsible for the operational oversight of the Health & Social Care Partnership (HSCP), which is the joint delivery vehicle for those integrated services delegated to the IJB (except for NHS acute hospital services).

REPORT

6. The Carers (Scotland) Act 2016 (the Carers Act) comes into effect on 1 April 2018. In order to implement the Carers Act, the Scottish Government has incorporated provisions stemming from that Act into those regulations that support the 2014 Act.
7. An amendment has been made through the Public Bodies (Joint Working) (Prescribed Local Authority Functions etc.) (Scotland) Amendment Regulations 2017, which covers Section 21 of the Carers Act and places a duty on Integration Authorities to set local eligibility criteria for carer support in relation to adult services and, where appropriate, the delegated functions relating to children's services. This came into force on 16 June 2017.
8. Two further statutory instruments came into force in December 2017:
 - The Public Bodies (Joint Working) (Prescribed Local Authority Functions etc.) (Scotland) Amendment (No. 2) Regulations 2017, which identifies functions that *must* be delegated to the IJB by the local authority; and
 - The Public Bodies (Joint Working) (Prescribed Health Board Functions) (Scotland) Amendment Regulations 2017, which identifies functions that *must* be delegated to the IJB by the health board.
9. In order to accommodate these changes, Health Boards and Local Authorities require to amend their Integration Schemes to include the new duties for delegation to Integration Authorities put in place by the Carers Act. The revised Integration Schemes must be submitted to the Scottish Government for Ministerial approval, no later than 2 March 2018.
10. A paper seeking approval for the revision to the Integration Scheme and related delegation schemes was considered and approved by NHSGGC on 20 February 2018. Subject to approval by the Council the amended scheme will be submitted to Scottish Government for final approval

FINANCE AND EFFICIENCY

11. This paper refers to changes to the Integration Scheme. Finance and efficiency implications of the implementation of Carers Legislation will be considered in reports to the IJB.

CONSULTATION

12. In accordance with the required process, Health Boards and Local Authorities need to ensure that identified stakeholders within the Public Bodies (Joint Working) (Prescribed Consultees) (Scotland) Regulations 2014 are informed of the proposed changes. In East Renfrewshire the proposed changes and background have been shared with members of the Strategic Planning Group which includes representatives of all prescribed consultees.

IMPLICATIONS OF THE PROPOSALS

Legal

13. There is a legal requirement on East Renfrewshire Council and NHSGGC to amend the Integration Scheme for the area of East Renfrewshire Council as set out in the report above.
14. In addition to the list of functions delegated by the Council to the IJB being set out in the Integration Scheme it is also set out in the Council's Scheme of Delegated Functions. As such, once the amended Integration Scheme has been approved by Scottish Ministers, corresponding amendments will be required to the Scheme of Delegated Functions, and delegated authority for the Deputy Chief Executive to make these amendments is sought.

CONCLUSIONS

15. NHSGGC and East Renfrewshire Council are undertaking a process to update the Integration Scheme for East Renfrewshire, as required by recent amendments to the Public Bodies (Joint Working) Scotland Act Regulations. The updates are minor changes to the schedules of delegated functions to support the implementation of the Carers Act. Once the updated Integration Scheme is approved by Scottish Government the Integration Joint Board will have delegated responsibilities for the implementation of Carers legislation.

RECOMMENDATIONS

16. That the Council:-
 - (a) approve the amendments to the East Renfrewshire HSCP Integration Scheme;
 - (b) authorise submission of the amended scheme to Scottish Ministers for final approval; and
 - (c) grant delegated authority to the Deputy Chief Executive to amend the Council's Scheme of Delegated Functions once the amended Integration Scheme has been approved by Scottish Ministers

REPORT AUTHOR AND PERSON TO CONTACT

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February 2018

BACKGROUND PAPERS

Scottish Government Letter of Approval of Integration Scheme under section 7(2)(a) of the Public Bodies (Joint Working) (Scotland) Act 2014
East Renfrewshire Integration Scheme

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**East Renfrewshire
Health and Social Care Partnership
Integration Scheme**

Between

EAST RENFREWSHIRE COUNCIL

And

GREATER GLASGOW AND CLYDE HEALTH BOARD

January 2018

UPDATED TO REFLECT CHANGES TO

**The Public Bodies (Joint Working) (Prescribed Health Board
Functions) (Scotland) Amendment Regulation 2017**

**The Public Bodies (Joint Working) (Prescribed Local Authority
Functions etc.) (Scotland) Amendment (No. 2) Regulations 2017**

I. Preamble

- i. In East Renfrewshire we have a long and successful experience of developing and running an integrated health and social care partnership for all community adult, children and families and criminal justice services. East Renfrewshire Community Health and Care Partnership was established in 2006 by East Renfrewshire Council and NHS Greater Glasgow and Clyde. The purpose of the CHCP was to:
 - manage local NHS and social care services;
 - improve the health of its population and close the inequalities gap;
 - play a major role in community planning;
 - achieve better specialist care for its population;
 - achieve strong local accountability through the formal roles for lead councillors and the engagement and involvement of its community; and
 - drive NHS and Local Authority planning processes.
- ii. From the outset East Renfrewshire CHCP focused on improving outcomes for East Renfrewshire residents, improving health and wellbeing and reducing inequalities.
- iii. In November 2013, East Renfrewshire Council and NHS Greater Glasgow & Clyde formally agreed to the transition of the Community Health and Care Partnership to a Shadow Health and Social Care Partnership; and for the Community Health & Care Partnership Committee to assume the role of Shadow Integration Joint Board in preparation for the full enactment of the Public Bodies (Joint Working) (Scotland) Act 2014 in April 2015.
- iv. Partners have agreed to a body corporate arrangement which will be known as the East Renfrewshire Health and Social Care Partnership. The purpose of East Renfrewshire Health and Social Care Partnership is to work with the people of East Renfrewshire to improve lives.
- v. The boundary of the Partnership will be coterminous with the boundary of East Renfrewshire Council, covering a population of around 90,000 people. The main localities are Barrhead, Neilston and Uplawmoor; Giffnock and Thornliebank; Newton Mearns; and Netherlee, Stamperland, Clarkston, Busby and Eaglesham.

- vi. The main purpose of integration is to improve the wellbeing of people who use health and social care services, particularly those whose needs are complex and involve support from health and social care at the same time. The Integration Scheme is intended to achieve the National Health and Wellbeing Outcomes prescribed by the Scottish Ministers in Regulations under section 5(1) of the Act, namely:
- People are able to look after and improve their own health and wellbeing and live in good health for longer.
 - People, including those with disabilities or long term conditions or who are frail are able to live, as far as reasonably practicable, independently and at home or in a homely setting in their community.
 - People who use health and social care services have positive experiences of those services, and have their dignity respected.
 - Health and social care services are centred on helping to maintain or improve the quality of life of people who use those services.
 - Health and social care services contribute to reducing health inequalities.
 - People who provide unpaid care are supported to look after their own health and wellbeing, including to reduce any negative impact of their caring role on their own health and wellbeing.
 - People using health and social care services are safe from harm.
 - People who work in health and social care services feel engaged with the work they do and are supported to continuously improve the information, support, care and treatment they provide.
 - Resources are used effectively and efficiently in the provision of health and social care services.
- vii. NHS Greater Glasgow and Clyde and East Renfrewshire Council have agreed that Children and Families Health and Social Work and Criminal Justice Social Work services and the minimum with regard to housing support should be included within functions and services to be delegated to the partnership therefore the specific National Outcomes for Children and Criminal Justice are also included.
- viii. National Outcomes for Children are:-
- Our children have the best start in life and are ready to succeed;
 - Our young people are successful learners, confident individuals, effective contributors and responsible citizens; and
 - We have improved the life chances for children, young people and families at risk

- ix. National Outcomes and Standards for Social Work Services in the Criminal Justice System are:-
- Community safety and public protection;
 - The reduction of re-offending; and
 - Social inclusion to support desistance from offending.
- x. It is anticipated that the Partnership will operate within the wider context of East Renfrewshire Community Planning Partnership and will contribute to the Community Plan and the Single Outcome Agreement (SOA).
- xi. The Act requires that the Health Board and Council submit this integration scheme for approval by Scottish Ministers. Once this scheme is approved, East Renfrewshire Health & Social Care Partnership Board will be established by Order of the Scottish Ministers as an entity which has distinct legal personality.

Integration Scheme

The parties:

East Renfrewshire Council, established under the Local Government etc (Scotland) Act 1994 and having its principal offices at Council Headquarters, Eastwood Park, Giffnock, East Renfrewshire, G46 6UG.

(Hereinafter referred to as the Council)

And

Greater Glasgow Health Board, established under section 2(1) of the National Health Service (Scotland) Act 1978 (operating as “NHS Greater Glasgow and Clyde”) and having its principal offices at J B Russell House, Gartnavel Royal Hospital Campus, 1055 Great Western Road, Glasgow, G12 0XH

(Hereinafter referred to as the Health Board)

(together referred to as “the Parties”)

In implementation of their obligations under the Act, the Parties hereby agree as follows:

In accordance with section 2(3) of the Act, the Parties have agreed that the integration model set out in sections 1(4)(a) of the Act will be put in place for East Renfrewshire Integration Joint Board namely the delegation of functions by the Parties to a body corporate that is to be established by Order under section 9 of the Act (an “integration joint board”). This Scheme comes into effect on the date the Parliamentary Order to establish the Integration Joint Board comes into force.

1. Definitions and Interpretation

“The Act” means the Public Bodies (Joint Working) (Scotland) Act 2014;

“The Board” means the Integration Joint Board to be established by Order under section 9 of the Act;

“Chair” means the Chair of the Integration Joint Board

“Chief Financial Officer” means the officer responsible for the administration of the Integration Joint Board’s financial affairs.

“The Chief Officer” means the Chief Officer of the Integration Joint Board

“the Council” means East Renfrewshire Council

“The Health Board” means Greater Glasgow Health Board, operating as NHS Greater Glasgow and Clyde

“Host” means the Integration Joint Board that manages services on behalf of the other Integration Joint Boards in the Health Board area;

“Hosted Services” means those services of the Parties more specifically detailed in Annex 3 which, subject to consideration by the Integration Joint Boards through the Strategic Plan process, the Parties agree will be managed and delivered on a pan Greater Glasgow and Clyde basis by a single Integration Joint Board;

“Integration Joint Board” means East Renfrewshire Integration Joint Board to be established by Order under section 9 of the Act;

“Lead Partner” means the Integration Joint Board that manages services on behalf of the other Integration Joint Boards in the Health Board areas.

“Lead Partnership Services” are services hosted by one Integration Joint Board on behalf of other Integration Joint Boards within the Health Board area.

“The Parties” means East Renfrewshire Council and Greater Glasgow Health Board, operating as NHS Greater Glasgow and Clyde;

“The Scheme” means this Integration Scheme;

“Strategic Plan” means the plan which the Integration Joint Board is required to prepare and implement in relation to the delegated provision of health and social care services to adults and children and criminal justice social work in accordance with section 29 of the Act.

2. Local Governance Arrangements

Voting Members

- 2.1 The arrangements for appointing the voting membership of the Integration Joint Board are that:-
- Each Party shall appoint four voting representatives.
 - The Integration Joint Board will consider nominations for additional non-voting members in accordance with the Public Bodies (Joint Working) (Integration Joint Boards) (Scotland Order 2014 - Article 3(8)).

Chair

- 2.2 The Chair and Vice Chair of the Integration Joint Board will be selected from amongst the identified eight voting members. The Parties will alternate nominating the Chair and Vice-Chair, with one nominating the Chair and the other nominating the Vice-Chair.
- 2.3 The first Chair of the Integration Joint Board is to be a member appointed on the nomination of the NHS. Their initial term of office is 1 year and thereafter the term of office will be two years.

Meetings

- 2.4 The Integration Joint Board will make, and may subsequently amend, standing orders for the regulation of its procedure and business. All meetings of the Integration Joint Board shall be conducted in accordance with them. Standing orders must include a description of how the Integration Joint Board will conduct its business.

3. Delegation of Functions

- 3.1 The functions that are to be delegated by the Health Board to the Integration Joint Board are set out in Part 1 of Annex 1, and only to the extent that they relate to the services described in Part 2 of Annex 1.
- 3.2 The functions that are to be delegated by the Council to the Integration Joint Board are set out in Part 1 of Annex 2. The services to which these functions relate, which are currently provided by the Council and which are to be integrated, are set out in Part 2 of Annex 2.
- 3.3 The Parties will recommend to the Greater Glasgow and Clyde Integration Joint Boards that each of the Hosted Services listed in Annex 3 be managed and delivered on a pan Greater Glasgow and Clyde basis through a designated single Health and Social Care Partnership during the first year of their operation and subject to review for subsequent years.

4. Local Operational Delivery Arrangements

Responsibilities of the Integration Joint Board on behalf of the Parties

- 4.1 The local operational arrangements agreed by the Parties are:
- 4.2 The Integration Joint Board is responsible for the operational oversight of Integrated Services, and through the Chief Officer will be responsible for the operational management of Integrated Services.
- 4.3 The Integration Joint Board will be responsible for the planning of Acute Services but the Health Board will be responsible for the operational oversight and management of Acute Services. The Health Board will provide information on a regular basis to the Chief Officer and Integration Joint Board on the operational delivery of these Services.
- 4.4 Where an Integration Joint Board is also the Lead Partnership in relation to a Service in Annex 3, the Parties will recommend that:
- a) It is responsible for the operational oversight of such Service(s);
 - b) Through its Chief Officer will be responsible for the operational management on behalf of all the Integration Joint Boards within Greater Glasgow and Clyde area;
and
 - c) Such Lead Partnership will be responsible for the strategic planning and operational budget of the Lead Partnership Services in Annex 3.

Corporate Support

- 4.5 The Health Board and the Council are committed to supporting the Integration Joint Board, providing resources for the professional, technical or administrative services required to support the development of the Strategic Plan and delivery of the integration functions.
- 4.6 The existing CHCP support arrangements and resources will be used as a model for the future strategic support. This will be regularly reviewed by the Health Board, the Council and the Integration Joint Board to ensure that the Board is provided with the necessary support (initially on an annual basis) and the findings integrated within the annual budget setting and review processes for the Integration Joint Board.

Strategic Plan

- 4.7 The Integration Joint Board is required to consult with the other Integration Joint Boards within the Health Board area to ensure that the Strategic Plans are appropriately co-ordinated for the delivery of Integrated Services across the NHS Greater Glasgow and Clyde area.
- 4.8 The Health Board shall ensure that the overarching Strategic Plan for Acute Services shall incorporate relevant sections of the six Integration Joint Boards' Strategic Plans.
- 4.9 The Health Board will consult with the six Integration Joint Boards to ensure that any overarching Strategic Plan for Acute Services and any plan setting out the capacity and resource levels required for the Set Aside budget for such Acute Services is appropriately co-ordinated with the delivery of Services across the Greater Glasgow and Clyde area. The parties shall ensure that a group including the Chief Officer for Acute Services and Chief Officers of the six Integration Joint Boards will meet regularly to discuss such issues.
- 4.10 The Health Board will share with the Integration Joint Board necessary activity and financial data for Services, facilities and resources that relate to the planned use of Services by service users within East Renfrewshire for its service and for those provided by other Health Boards. Regional Services are explicitly excluded.
- 4.11 The Council will share with the Integration Joint Board necessary activity and financial data for Services, facilities and resources that relate to the planned use of Services by service users within East Renfrewshire for its Services and for those provided by other councils.
- 4.12 The Parties agree to use all reasonable endeavours to ensure that the Integration Joint Boards in the Health Board area and any other relevant Integration Authority will share the necessary activity and financial data for Services, facilities and resources that relate to the planned use by service users within the area of their Integration Authority.
- 4.13 The Parties shall ensure that their Officers acting jointly will consider the Strategic Plans of the other Integration Joint Boards to ensure that they do not prevent the Parties and the Integration Joint Board from carrying out their functions appropriately and in accordance with the Integration Planning and Delivery Principles, and to ensure they contribute to achieving the National Health and Wellbeing Outcomes.

- 4.14 The Parties shall advise the Integration Joint Board where they intend to change service provision of non Integrated Services that will have a resultant impact on the Strategic Plan.

Performance Targets, Improvement Measures and Reporting Arrangements

- 4.15 The Parties will identify a core set of indicators that relate to Services from publicly accountable and national indicators and targets that the Parties currently report against. A list of indicators and measures which relate to integration functions will be collated along with information on the data gathering and reporting requirements for performance targets and improvement measures in a performance directory. The Parties will share all performance information, targets and indicators and the directory with the Integration Joint Board. The improvement measures will be a combination of existing and new measures that will allow assessment at local level. The performance targets and improvement measures will be linked to the national and local Outcomes to assess the timeframe and the scope of change.
- 4.16 The directory will also state where the responsibility for each measure lies, whether in full or in part. Where there is an ongoing requirement in respect of organisational accountability for a performance target for the Health Board or the Council this will be taken into account by the Integration Joint Board when preparing the Strategic Plan.
- 4.17 The directory will also be used to prepare a list of any targets, measures and arrangements which relate to functions of the Parties, which are not delegated to the Integration Joint Board, but which are affected by the performance and funding of integration functions and which are to be taken account of by the Integration Joint Board when preparing the Strategic Plan.
- 4.18 The directory will be reviewed regularly to ensure the improvement measures it contains continue to be relevant and reflective of the national and local Outcomes to which they are aligned.
- 4.19 The work on the core indicators and the establishing of the directory will be completed no later than 31 March 2015.
- 4.20 The Parties will provide support to the Integration Joint Board for the function, including the effective monitoring and reporting of targets and measures.

5. Clinical and Care Governance

- 5.1 Except as detailed in this Scheme, all strategic, planning and operational responsibility for Services is delegated from the Parties to the Integration Joint Board and its Chief Officer.
- 5.2 The Parties and the Integration Joint Board are accountable for ensuring appropriate clinical and care governance arrangements for services provided in pursuance of integration functions in terms of the Act. The Parties and the Integration Joint Board are accountable for ensuring appropriate clinical and care governance arrangements for their duties under the Act. The Parties will have regard to the principles of the Scottish Government's Clinical and Care Governance Framework including the focus on localities and service user and carer feedback.
- 5.3 The Parties will be responsible through commissioning and procurement arrangements for the quality and safety of services procured from the Third and Independent Sectors and to ensure that such Services are delivered in accordance with the Strategic Plan.
- 5.4 The quality of service delivery will be measured through performance targets, improvement measures and reporting arrangements designed to address organisational and individual care risks, promote continuous improvement and ensure that all professional and clinical standards, legislation and guidance are met. Performance monitoring arrangements will be included in commissioning or procurement from the Third and Independent Sectors.
- 5.5 The Parties will ensure that staff working in integrated services have the appropriate skills and knowledge to provide the appropriate standard of care. Managers will manage teams of Health Board staff, Council staff or a combination of both and will promote best practice, cohesive working and provide guidance and development to the team. This will include effective staff supervision and implementation of staff support policies.
- 5.6 Where groups of staff require professional leadership, this will be provided by the relevant Health Lead or Chief Social Work Officer as appropriate.
- 5.7 The Organisational Development Strategy will identify training requirements that will be put in place to support improvements in services and Outcomes.
- 5.8 The members of the Integration Joint Board will actively promote an organisational culture that supports human rights and social justice; values partnership working through example; affirms the contribution of staff through the application of best

practice, including learning and development; and is transparent and open to innovation, continuous learning and improvement.

- 5.9 The Chief Social Work Officer reports to the Council on the delivery of safe, effective and innovative social work services and the promotion of values and standards of practice. The Council confirms that its Chief Social Work Officer will provide appropriate professional advice to the Chief Officer and the Integration Joint Board in relation to statutory social work duties and make certain decisions in terms of the Social Work (Scotland) Act 1968. The Chief Social Work Officer will provide an annual report on care governance to the Integration Joint Board, including responding to scrutiny and improvement reports by external bodies such as the Care Inspectorate.
- 5.10 The Chief Officer has delegated responsibilities, through the Parties' Chief Executives, for the Professional standards of staff working in Integrated Services. The Chief Officer, relevant Health Leads and Chief Social Work Officer will work together to ensure appropriate professional standards and leadership. Where groups of staff require professional leadership, this will be provided by the relevant Health Lead or Chief Social Work Officer as appropriate.
- 5.11 The Parties will put in place structures and processes to support clinical and care governance, thus providing assurance on the quality of health and social care. A Clinical and Care Governance Group is to be established by the Parties which, when not chaired by the Chief Officer, will report to the Chief Officer and through the Chief Officer to the Integration Joint Board. It will contain representatives from the Parties and others including:
- the Senior Management Team of the Partnership;
 - the Clinical Director;
 - the Lead Nurse;
 - the Lead from the Allied Health Professions;
 - Chief Social Work Officer;
 - service user and carer representatives; and
 - Third Sector and Independent Sector representatives.
- 5.12 The Parties note that the Clinical and Care Governance Group may wish to invite appropriately qualified individuals from other sectors to join its membership as it determines, or as is required given the matter under consideration. This may include Health Board professional committees, managed care networks and Adult and Child Protection Committees.
- 5.13 The role of the Clinical and Care Governance Group will be to consider matters relating to Strategic Plan development, governance, risk management, service user

feedback and complaints, standards, education, learning, continuous improvement and inspection activity. When clinical and care governance issues relating to Lead Partnership Services are being considered, the Clinical and Care Governance Group for the Lead Partner will obtain input from the Clinical and Care Governance Groups of the other NHS Greater Glasgow & Clyde Council areas.

- 5.14 The Clinical and Care Governance Group will provide advice to the strategic planning group, and locality groups within the Council area. The strategic planning and locality groups may seek relevant advice directly from the Clinical and Care Governance Group.
- 5.15 The Integration Joint Board may seek advice on clinical and care governance directly from the Health and Care Governance Group. In addition, the Integration Joint Board may directly take into consideration the professional views of the registered health professionals and the Chief Social Work Officer.
- 5.16 Annex 4 provides details of the governance structure relating to the Integration Joint Board and the Parties. This includes details of how the Area Clinical Forum, Managed Clinical Networks, other appropriate professional groups and Adults and Child Protection Committees are able to directly provide advice to the Integration Joint Board and Health and Care Governance Group.
- 5.17 Further assurance is provided through:
- a) the responsibility of the Chief Social Work Officer to report directly to the Council, and the responsibility of the Health Leads to relate directly to the Medical Director and Nurse Director who in return report to the Health Board on professional matters; and
 - b) the role of the Clinical Governance Forum of the Health Board which is to oversee healthcare governance arrangements and ensure that matters which have implications beyond the Integration Joint Board in relation to health, will be shared across the health care system. The Clinical Governance Forum will also provide professional guidance, as required.
- 5.18 The Chief Officer will take into consideration any decisions of the Council or Health Board which arise from (a) or (b) above.
- 5.19 The Health Board Clinical Governance Forum, the Medical Director and Nurse Director may raise issues directly with the Integration Joint Board in writing and the Integration Joint Board will respond in writing to any issues so raised.
- 5.20 As set out in Section 10 the Parties have information sharing protocols in place.

6. Chief Officer

The arrangements in relation to the Chief Officer agreed by the Parties

- 6.1 The Chief Officer will be appointed by the Integration Joint Board and is employed by one of the Parties on behalf of both. The Chief Officer will have an honorary contract with the non-employing party. The Chief Officer will be seconded by the employing party to the Integration Joint Board and will be the accountable officer to the Integration Joint Board.
- 6.2 The Chief Officer will have delegated operational responsibility for delivery of integrated services, except acute hospital services with oversight from the Integrated Joint Board. In this way the Integration Joint Board is able to have responsibility for both strategic planning and operational delivery.
- 6.3 The Chief Officer will provide a single senior point of overall strategic and operational advice to the Integration Joint Board and be a member of the senior management teams of the Parties. As a member of both corporate management teams the Chief Officer will be able to influence policy and strategic direction of both the Council and the Health Board from an integration perspective.
- 6.4 The Chief Officer will provide a strategic leadership role and be the point of joint accountability for the performance of services to the Integration Joint Board. The Chief Officer will be operationally responsible through an integrated management team for the delivery of integrated services.
- 6.5 The Chief Officer will be jointly line managed by the Chief Executives of the Health Board and the Council. This will ensure accountability to both Parties and support a system-wide approach by the Health Board across all of its component integration authorities.
- 6.6 In the event that the Chief Officer is absent or otherwise unable to carry out their functions, at the request of the Integration Joint Board, the Chief Executives of the Health Board and the Council will, in consultation with the Chair /Vice Chair of the Integration Joint Board, jointly appoint a suitable interim replacement.
- 6.7 There are no acute hospitals in East Renfrewshire and the Chief Officer has no acute hospital operational responsibilities. (The Integration Joint Board will be responsible for the planning of Acute Services but the Health Board will be responsible for the operational oversight and management of Acute Services.) The

Health Board will provide information on a regular basis to the Chief Officer and Integration Joint Board on the operational delivery of these Services.

- 6.8 The Council agrees that the relevant Council lead responsible for the local housing strategy and the non-integrated housing function will be required to routinely liaise with the Chief Officer in respect of the Integration Joint Board's role in informing strategic planning for local housing as a whole and the delivery of housing support services delegated to the Integration Joint Board.
- 6.9 The Chief Officer will routinely liaise with their counterparts of the other integration authorities within the Health Board area in accordance with sub-section 30(3) of the Act.

7. Workforce

The arrangements in relation to their respective workforces agreed by the Parties are:

- 7.1 Apart from the Chief Officer posts, all other appointments/staff will report to a single line manager, either the Health Board or the Council, who will be responsible for all aspects of supervision and management of these postholders.
- 7.2 Members of the management team may be employed by either the Health Board or the Council, and senior managers may be given honorary contracts from the party who is not their direct employer. These will allow delegated responsibility for both discipline and grievance with the Health Board and the Council employee groups.
- 7.3 Managers will promote best practice, integrated working and provide guidance and development equitably, regardless of whether they are managing a team of NHS staff, Council staff or a combination of both.
- 7.4 Where groups of staff require professional supervision and leadership, this will be provided by the relevant professional lead.
- 7.5 Staff employed in services whose functions have been delegated to the Integration Joint Board will retain their current employment status with either the Council or the Health Board and continue with the terms and conditions of their current employer. The Partnership will report on HR and wider Workforce Governance matters to the Parties through their appropriate Governance and Management Structures, including in relation to the Equality Act.

- 7.6 The Parties will develop, put in place and keep under review a joint Workforce and Development Plan by providing a group of Human Resources and Organisational Development professionals who will work with the Chief Officer, staff, trade unions and stakeholders to develop the Plan. Learning and development of staff will be addressed in the Plan. The Plan will be in place by April 2016.
- 7.7 The Parties will develop, put in place and keep under review an Organisational Development Strategy by providing a group of Human Resources and Organisational Development professionals who will work with the Chief Officer, managers and teams delivering integrated services, trade unions and stakeholders to develop the Strategy. The Strategy will address staff engagement and governance. The Strategy will be in place by April 2016
- 7.8 Staff governance is a system of corporate accountability for the fair and effective management of all staff.
- 7.9 Staff Governance in the Integration Joint Board will ensure that staff are:-
- Well informed
 - Appropriately training and developed
 - Involved in decisions
 - Treated fairly and consistently with dignity and respect in an environment where diversity is valued
 - Provided with a continually improving and safe working environment promoting the health and wellbeing of staff, patients/clients and the wider community
- 7.10 A Joint Staff Forum will act as a formal consultative body for the workforce. The Forum is founded on the principle that staff and staff organisations will be involved at an early stage in decisions affecting them, including in relation to service change and development. Investment in and recognition of staff is a core value of the Parties and is key to supporting the development of integrated working. These Partnership arrangements will meet the required national standards and link to the NHS GGC Area Partnership Forum and ERC Joint Consultative Committee.

8. Finance

Introduction

- 8.1 This section sets out the arrangements in relation to the determination of the amounts to be paid, or set aside, and their variation, to the Integration Joint Board from the Council and Health Board.
- 8.2 The Chief Finance Officer (CFO) will be the Accountable Officer for financial management, governance and administration of the Integration Joint Board. This includes accountability to the Integration Joint Board for the planning, development and delivery of the Integration Joint Board's financial strategy and responsibility for the provision of strategic financial advice and support to the Integration Joint Board and Chief Officer.

Budgets

- 8.3 Delegated baseline budgets for 2015/16 will be subject to due diligence and based on a review of recent past performance, existing and future financial forecasts for the Health Board and Local Authority for the functions which are to be delegated.
- 8.4 The Chief Finance Officer will develop a draft proposal for the Integrated Budget based on the Strategic Plan and present it to the Local Authority and Health Board for consideration as part of their respective annual budget setting process. The draft proposal will incorporate assumptions on the following:
- Activity changes
 - Cost inflation
 - Efficiencies
 - Performance against outcomes
 - Legal requirements
 - Transfer to or from the amounts set aside by the Health Board
 - Adjustments to address equity of resource allocation
- 8.5 This will allow the Local Authority and Health Board to determine the final approved budget for the Integrated Joint Board.
- 8.6 The process for determining amounts to be made available (within the 'set aside' budget) by the Health Board to the Integration Joint Board in respect of all of the functions delegated by the Health Board which are carried out in a hospital in the area of the Health Board and provided for the areas of two or more Local Authorities

will be determined by the hospital capacity that is expected to be used by the population of the Integration Joint Board and will be based on:

- Actual Occupied Bed Days and admissions in recent years;
- Planned changes in activity and case mix due to the effect of interventions in the Strategic Plan;
- Projected activity and case mix changes due to changes in population need (i.e. demography & morbidity).

8.7 The projected hospital capacity targets will be calculated as a cost value using a costing methodology to be agreed between the Local Authority, Health Board and Integration Joint Board. If the Strategic Plan sets out a change in hospital capacity, the resource consequences will be determined through a detailed business case which is incorporated within the Integrated Joint Board's budget. This may include:

- The planned changes in activity and case mix due to interventions in the Strategic Plan and the projected activity and case mix changes due to changes in population need;
- Analysis of the impact on the affected hospital budgets, taking into account cost behaviour (i.e. fixed, semi fixed and variable costs) and timing differences (i.e. the lag between reduction in capacity and the release of resources).

Overspends

8.8 The Chief Officer will deliver the outcomes within the total delegated resources and where there is a forecast overspend against an element of the operational budget, the Chief Officer, the Chief Finance Officer of the Integration Joint Board and the appropriate finance officers of the Local Authority and Health Board must agree a recovery plan to balance the overspending budget, which recovery plan shall be subject to the approval of the Integration Joint Board. In the event that the recovery plan does not succeed, the Chief Officer, Chief Financial Officer of the Integration Joint Board will consider utilising Integration Joint Board reserves where available. The Parties may consider as a last resort making additional funds available, on a basis to be agreed taking into account the nature and circumstances of the overspend, with repayment in future years on the basis of the revised recovery plan agreed by the Local Authority and Health Board and Integration Joint Board. If the revised plan cannot be agreed by the Local Authority and Health Board, or is not approved by the Integration Joint Board, mediation will require to take place in line with the dispute resolution arrangements set out in this Scheme.

Underspends

- 8.9 Where an underspend in an element of the operational budget, with the exception of ring fenced budgets, arises from specific management action, this will be retained by the Integration Joint Board to either fund additional capacity in-year in line with its Strategic Plan or be carried forward to fund capacity in subsequent years of the Strategic Plan subject to the terms of the Integration Joint Board's Reserves Strategy. Any windfall underspend will be returned to the Parties in the same proportion as individual Parties contribute to joint pressures in that area of spend, as the default position unless otherwise agreed between the Parties.

Unplanned Costs

- 8.10 Neither the Local Authority nor Health Board may reduce the payment in-year to the Integration Joint Board to meet exceptional unplanned costs within either the Local Authority or Health Board without the express consent of the Integration Joint Board and the other Party.

Accounting Arrangements and Annual Accounts

- 8.11 Recording of all financial information in respect of the Integration Joint Board will be in the financial ledger of the Party which is delivering financial services on behalf of the Integration Joint Board.
- 8.12 Any transaction specific to the Integration Joint Board e.g. expenses, will be processed via the Local Authority ledger, with specific funding being allocated by the Integration Joint Board to the Local Authority for this. The operational budgets for the services provided by the Integration Joint Board will be retained in the ledgers of the parent bodies. This information will be consolidated to prepare the financial reports of the Integrated Joint Board.
- 8.13 The transactions relating to operational delivery will continue to be reflected in the financial ledgers of the Local Authority and Health Board with the information from both sources being consolidated for the purposes of reporting financial performance to the Integration Joint Board.
- 8.14 The Chief Officer and Chief Finance Officer of the Integration Joint Board will be responsible for the preparation of the annual accounts and financial statement in line with proper accounting practice, and financial elements of the Strategic Plan and such other reports that the Integration Joint Board might require. The year-end balances and in-year transactions between the Integration Joint Board and the

Parties will be agreed in line with the Health Board's account timetable. The Chief Finance Officer will provide reports to the Chief Officer on the financial resources used for operational delivery and strategic planning.

- 8.15 Monthly financial monitoring reports will be issued by the Chief Finance Officer to the Chief Officer in line with timescales agreed by the Parties. Financial reports will include subjective and objective analysis of budgets and actual/projected outturn, and such other financial monitoring reports as the Integration Joint Board may require.
- 8.16 In advance of each financial year a timetable of reporting will be submitted to the Integration Joint Board for approval, with a minimum of four financial reports being submitted to the Integration Joint Board. This will include reporting on the Acute activity and estimated cost against set-aside budgets.
- 8.17 Payments between Local Authority and Health Board
- 8.18 The schedule of payments to be made in settlement of the payment due to the Integration Joint Board will be:
- Resource Transfer, virement between Parties and the net difference between payments made to the Integration Joint Board and resources delegated by the Integration Joint Board will be transferred between agencies initially in line with existing arrangements, with a final adjustment on closure of the Annual Accounts. Future arrangements may be changed by local agreement.
- 8.19 In the event that the Integration Joint Board becomes formally established part-way through the 2015-16 financial year, the payment to the Integration Joint Board for delegated functions will be that portion of the budget covering the period from the establishment of the Integration joint Board to 31 March 2016.

Capital Assets and Capital Planning

- 8.20 Capital and assets and the associated running costs will continue to sit with the Local Authority and Health Board. The Integration Joint Board will require to develop a business case for any planned investment or change in use of assets for consideration by the Local Authority and Health Board.

9. Participation and Engagement

- 9.1 During the development of the Integration Scheme, the Council and Health Board agreed to consult jointly through the Shadow Integration Board and Strategic Planning Group the membership of which comprises the prescribed consultees as set out in the Public Bodies (Joint Working) (Prescribed Consultees)(Scotland) Regulations 2014 (SSI number 283).
- 9.2 The consultation included discussion at planned meetings of the East Renfrewshire Community Health and Care Public Partnership Forum (which includes users and carers of health and social care services), Staff Partnership Forum and GP Forum. In addition the draft Integration Scheme was shared for comment with East Renfrewshire Third Sector Interface and Housing Providers Forum. It was made available on the East Renfrewshire Council internet page on Health and Social Care Integration.
- 9.3 The arrangements included consultation with the other Councils within the Health Board area and a series of engagement sessions with staff working within East Renfrewshire Community Health and Care Partnership.
- 9.4 The Parties undertake to work together to support the Integration Joint Board in the production of its participation and engagement strategy. The Parties agree to provide communication and public engagement support to the Integration Joint Board to facilitate engagement with key stakeholders, including patients and service users, carers and Third Sector representatives and Councils within the area of the Health Board. Existing forums, including the Public Partnership Forum and Third Sector Interface will be part of the process of engagement.
- 9.5 The Parties will also provide support through existing corporate support arrangements and public consultation arrangements. The participation and engagement strategy will be produced by 31 March 2016. In the meantime, each of the Parties agrees to use its existing systems for participation and engagement, and to ensure that these accord at all times with the principles and practices endorsed by the Scottish Health Council and those set out in the National Standards for Community Engagement.

10. Information-Sharing and Data Handling

- 10.1 The Council and the Health Board work along with all local authorities in Greater Glasgow and Clyde through the Joint Information & Health Systems Group (JIHS) to develop, review and maintain an Information Sharing Protocol. This will be available to the Integration Joint Board. The Parties shall work together to ensure that the Protocol is reviewed on an annual basis and that as part of this process the views of the Integration Joint Board will be canvassed and considered.
- 10.2 The Parties positively encourage their staff to share information appropriately about their service users when it benefits their care and when it is necessary to protect vulnerable adults or children. The document describes how the Parties will exchange information with each other - particularly information relating to identifiable living people, known legally as "personal data". The purpose of the document is to explain why the partner organisations want to exchange information with each other and to put in place a framework which will allow this information to be exchanged in ways which respect the rights of the people the information is about, while recognising the circumstances in which staff must share personal data to protect others, without the consent of the individual. This Protocol complies with the laws regulating this, particularly the Data Protection Act 1998.

11. Complaints

- 11.1 The Parties agree the following arrangements in respect of complaints.
- 11.2 The Parties will work together with the Chief Officer to ensure the arrangements for complaints are clear and integrated from the perspective of the service user.
- 11.3 In the event that complaints are received by the Integration Joint Board or the Chief Officer, the Parties will work together to achieve where possible a joint response, identifying the lead party in the process and confirming this to the individual raising the complaint.
- 11.4 The Parties agree that as far as possible complaints will be dealt with by front line staff. Thereafter the existing complaints procedures of the Parties provide a formal process for resolving complaints. Complaints to the Council can be made in person at any council office or premises, by phone, in writing, email or by submitting an online complaint form. Complaints to the Health Board can be made in writing, by

telephoning, or by emailing. A decision regarding the complaint will be provided as soon as possible and will be no more than 20 working days, unless there is good reason for requiring more time and this reason is communicated to the service user. If the service user remains dissatisfied the final stage will be the consideration of complaints by the Scottish Public Sector Ombudsman. In relation to social work complaints these are, subject to review, presently considered by a Social Work Complaints Review Committee prior to the Ombudsman.

- 11.5 Details of the complaints procedures will be provided on line, in complaints literature and on posters.
- 11.6 If a service user is unable, or unwilling to make a complaint directly, complaints will be accepted from a representative who can be a friend, relative or an advocate.
- 11.7 The Parties will produce a joint report on a six monthly basis for consideration by the Integration Joint Board.

12. Claims Handling, Liability & Indemnity

- 12.1 The Integration Joint Board, while having legal personality in its own right, has neither replaced nor assumed the rights or responsibilities of either the Health Board or the Council as the employers of the staff who are managed within the Partnership; or for the operation of buildings or services under the operational remit of those staff.
- 12.2 The Parties will continue to indemnify, insure and accept responsibility for the staff that they each employ; their capital assets and the respective services that each Party has delegated to the Integration Joint Board.
- 12.3 Liabilities arising from decisions taken by the Integration Joint Board will be equally shared between the Parties.

13. Risk Management

- 13.1 The Parties along with all local authorities in Greater Glasgow and Clyde have developed a model risk management policy and strategy to support integrated service delivery. This will be available to the Integration Joint Board at its first meeting.
- 13.2 The Parties will support the Chief Officer and the Integration Joint Board with relevant specialist advice, (such as internal audit, clinical and non-clinical risk advisors and health and safety advisors).
- 13.3 The Chief Officer will have overall accountability for risk management ensuring that suitable and effective arrangements are in place to manage the risks relating to the functions within the scope of the Integration Joint Board. The Chief Officer working with the Chief Executives of the Parties will review existing Strategic and Operational risk registers, identify the appropriate risks to move to the shared risk register and agree mitigations. This will be available within the first year of operation of the Integration Joint Board.

14. Dispute Resolution Mechanism

- 14.1 Where either of the Parties fails to agree with the other on any issue related to this Scheme, then they will follow the undernoted process:
- a) The Chief Executives of the Parties, will meet to resolve the issue;
 - b) If unresolved, the Parties will each agree to prepare a written note of their position on the issue and exchange it with the others for their consideration within 10 working days of the date of the decision to proceed to written submissions.
 - c) In the event that the issue remains unresolved following consideration of written submissions, the Chief Executives of the Parties, the Chair of the Health Board and the Leader of the Council will meet to appoint an independent mediator and the matter will proceed to mediation with a view to resolving the issue.
- 14.2 Where the issue remains unresolved after following the processes outlined in (a)-(c) above, the Parties agree the following process to notify Scottish Ministers that agreement cannot be reached: the Chief Executives of the Parties, and the Chief Officer will jointly make a written application to Scottish ministers stating the issues in dispute and requesting that the Scottish Ministers give directions.

Annex 1

Part 1: Functions delegated by the Health Board to the Integration Joint Board

<i>Column A</i>	<i>Column B</i>
<p>The National Health Service (Scotland) Act 1978 All functions of Health Boards conferred by, or by virtue of, the National Health Service (Scotland) Act 1978</p>	<p>Except functions conferred by or by virtue of—</p> <p>section 2(7) (Health Boards);</p> <p>section 2CB (functions of Health Boards outside Scotland);</p> <p>section 9 (local consultative committees);</p> <p>section 17A (NHS contracts);</p> <p>section 17C (personal medical or dental services);</p> <p>section 17I (use of accommodation);</p> <p>section 17J (Health Boards' power to enter into general medical services contracts);</p> <p>section 28A (remuneration for Part II services);</p> <p>section 48 (residential and practice accommodation);</p> <p>section 55 (hospital accommodation on part payment);</p> <p>section 57 (accommodation and services for private patients);</p> <p>section 64 (permission for use of facilities in private practice);</p> <p>section 75A (remission and repayment of charges and payment of travelling expenses);</p> <p>section 75B (reimbursement of the cost of services provided in another EEA state);</p> <p>section 75BA (reimbursement of the cost of services provided in another EEA state where expenditure is incurred on or after 25 October 2013);</p> <p>section 79 (purchase of land and moveable property);</p> <p>section 82 use and administration of certain endowments and other property held by Health Boards);</p> <p>section 83 (power of Health Boards and local health councils to hold property on trust);</p> <p>section 84A (power to raise money, etc., by appeals, collections etc.);</p> <p>section 86 (accounts of Health Boards and the Agency);</p> <p>section 88 (payment of allowances and remuneration to members of certain bodies connected with the health services);</p> <p>section 98 (charges in respect of nonresidents); and</p> <p>paragraphs 4, 5, 11A and 13 of Schedule 1 to the Act (Health Boards);</p> <p>and functions conferred by—</p> <p>The National Health Service (Charges to Overseas Visitors) (Scotland) Regulations 1989</p>

<i>Column A</i>	<i>Column B</i>
	<p>The Health Boards (Membership and Procedure) (Scotland) Regulations 2001/302;</p> <p>The National Health Service (Clinical Negligence and Other Risks Indemnity Scheme) (Scotland) Regulations 2000;</p> <p>The National Health Service (Primary Medical Services Performers Lists) (Scotland) Regulations 2004;</p> <p>The National Health Service (Primary Medical Services Section 17C Agreements) (Scotland) Regulations 2004;</p> <p>The National Health Service (Discipline Committees) (Scotland) Regulations 2006;</p> <p>The National Health Service (General Ophthalmic Services) (Scotland) Regulations 2006;</p> <p>The National Health Service (Pharmaceutical Services) (Scotland) Regulations 2009;</p> <p>The National Health Service (General Dental Services) (Scotland) Regulations 2010; and</p> <p>The National Health Service (Free Prescriptions and Charges for Drugs and Appliances) (Scotland) Regulations 2011.</p>
<p>Disabled Persons (Services, Consultation and Representation) Act 1986 Section 7 (persons discharged from hospital)</p>	
<p>Community Care and Health (Scotland) Act 2002 All functions of Health Boards conferred by, or by virtue of, the Community Care and Health (Scotland) Act 2002.</p>	
<p>Mental Health (Care and Treatment) (Scotland) Act 2003 All functions of Health Boards conferred by, or by virtue of, the Mental Health (Care and Treatment) (Scotland) Act 2003.</p>	<p>Except functions conferred by—</p> <p>section 22 (approved medical practitioners);</p> <p>section 34 (inquiries under section 33: cooperation)</p> <p>section 38 (duties on hospital managers: examination, notification etc.);</p> <p>section 46 (hospital managers' duties: notification);</p> <p>section 124 (transfer to other hospital);</p> <p>section 228 (request for assessment of needs: duty on local authorities and Health Boards);</p> <p>section 230 (appointment of patient's responsible medical officer);</p> <p>section 260 (provision of information to patient);</p> <p>section 264 (detention in conditions of excessive security: state hospitals);</p> <p>section 267 (orders under sections 264 to 266: recall);</p> <p>section 281 (correspondence of certain persons detained in hospital);</p> <p>and functions conferred by—</p> <p>The Mental Health (Safety and Security) (Scotland) Regulations</p>

Column A	Column B
	<p>2005;</p> <p>The Mental Health (Cross border transfer: patients subject to detention requirement or otherwise in hospital) (Scotland) Regulations 2005;</p> <p>The Mental Health (Use of Telephones) (Scotland) Regulations 2005; and</p> <p>The Mental Health (England and Wales Crossborder transfer: patients subject to requirements other than detention) (Scotland) Regulations 2008.</p>
<p>Education (Additional Support for Learning) (Scotland) Act 2004 Section 23 (other agencies etc. to help in exercise of functions under this Act)</p>	
<p>Public Services Reform (Scotland) Act 2010 All functions of Health Boards conferred by, or by virtue of, the Public Services Reform (Scotland) Act 2010</p>	<p>Except functions conferred by—</p> <p>section 31(public functions: duties to provide information on certain expenditure etc.); and</p> <p>section 32 (public functions: duty to provide information on exercise of functions).</p>
<p>Patient Rights (Scotland) Act 2011 All functions of Health Boards conferred by, or by virtue of, the Patient Rights (Scotland) Act 2011</p>	<p>Except functions conferred by The Patient Rights (complaints Procedure and Consequential Provisions) (Scotland) Regulations 2012/36.</p>
<p><u>“Carers (Scotland) Act 2016(2)</u> <u>Section 12</u> <u>(duty to prepare young carer statement)”</u></p>	

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Annex 1

Part 2: Services delegated by the Health Board to the Integration Joint Board

- Accident and Emergency services provided in a hospital.
- Inpatient hospital services relating to the following branches of medicine:
 - General medicine.
 - Geriatric medicine.
 - Rehabilitation medicine.
 - Respiratory medicine.
 - Psychiatry of learning disability.
- Palliative care services provided in a hospital.
- Services provided in a hospital in relation to an addiction or dependence on any substance.
- Mental health services provided in a hospital, except secure forensic mental health services.
- Services provided by allied health professionals in an outpatient department, clinic, or outwith a hospital.
- Health Visiting services.
- School Nursing.
- Speech and Language Therapy.
- Specialist Health Improvement.
- Community Children's Services.
- Child and Adolescent Mental Health Services
- District Nursing services.
- The public dental service.
- Primary care services provided under a general medical services contract.
- General dental services.
- Ophthalmic services.
- Pharmaceutical services.
- Services providing primary medical services to patients during the out-of-hours period.
- Services provided outwith a hospital in relation to geriatric medicine.
- Palliative care services provided outwith a hospital.
- Community learning disability services.
- Rehabilitative Services provided in the community.
- Mental health services provided outwith a hospital.
- Continence services provided outwith a hospital.
- Kidney dialysis services provided outwith a hospital.
- Services provided by health professionals that aim to promote public health.

Annex 2

Part 1: Functions delegated by the Local Authority to the Integration Joint Board

<i>Column A</i> <i>Enactment conferring function</i>	<i>Column B</i> <i>Limitation</i>
National Assistance Act 1948 Section 48 (Duty of councils to provide temporary protection for property of persons admitted to hospitals etc.)	
The Disabled Persons (Employment) Act 1958 Section 3 (Provision of sheltered employment by local authorities)	
The Social Work (Scotland) Act 1968 Section 1 (Local authorities for the administration of the Act.)	So far as it is exercisable in relation to another integration function.
Section 4 (Provisions relating to performance of functions by local authorities.)	So far as it is exercisable in relation to another integration function.
Section 8 (Research.)	So far as it is exercisable in relation to another integration function.
Section 10 (Financial and other assistance to voluntary organisations etc. for social work.)	So far as it is exercisable in relation to another integration function.
Section 12 (General social welfare services of local authorities.)	Except in so far as it is exercisable in relation to the provision of housing support services.
Section 12A (Duty of local authorities to assess needs.)	So far as it is exercisable in relation to another integration function.
Section 12AZA (Assessments under section 12A - assistance)	So far as it is exercisable in relation to another integration function.
Section 12AA (Assessment of ability to provide care.)	
Section 12AB (Duty of local authority to provide information to carer.)	
Section 13 (Power of local authorities to assist persons in need in disposal of produce of their work.)	
Section 13ZA (Provision of services to incapable adults.)	So far as it is exercisable in relation to another integration function.
Section 13A (Residential accommodation with nursing.)	
Section 13B (Provision of care or aftercare.)	

<i>Column A</i> <i>Enactment conferring function</i>	<i>Column B</i> <i>Limitation</i>
Section 14 (Home help and laundry facilities.)	
Section 28 (Burial or cremation of the dead.)	So far as it is exercisable in relation to persons cared for or assisted under another integration function.
Section 29 (Power of local authority to defray expenses of parent, etc., visiting persons or attending funerals.)	
Section 59 (Provision of residential and other establishments by local authorities and maximum period for repayment of sums borrowed for such provision.)	So far as it is exercisable in relation to another integration function.
The Local Government and Planning (Scotland) Act 1982	
Section 24(1) (The provision of gardening assistance for the disabled and the elderly.)	
Disabled Persons (Services, Consultation and Representation) Act 1986	
Section 2 (Rights of authorised representatives of disabled persons.)	
Section 3 (Assessment by local authorities of needs of disabled persons.)	
Section 7 (Persons discharged from hospital.)	In respect of the assessment of need for any services provided under functions contained in welfare enactments within the meaning of section 16 and which have been delegated.
Section 8 (Duty of local authority to take into account abilities of carer.)	In respect of the assessment of need for any services provided under functions contained in welfare enactments (within the meaning set out in section 16 of that Act) which are integration functions.
The Adults with Incapacity (Scotland) Act 2000	
Section 10 (Functions of local authorities.)	
Section 12 (Investigations.)	
Section 37 (Residents whose affairs may be managed.)	Only in relation to residents of establishments which are managed under integration functions.
Section 39 (Matters which may be managed.)	Only in relation to residents of establishments which are managed under integration functions.
Section 41 (Duties and functions of managers of authorised establishment.)	Only in relation to residents of establishments which are managed under integration functions
Section 42	Only in relation to residents of establishments which are

<i>Column A</i> <i>Enactment conferring function</i>	<i>Column B</i> <i>Limitation</i>
(Authorisation of named manager to withdraw from resident's account.)	managed under integration functions
Section 43 (Statement of resident's affairs.)	Only in relation to residents of establishments which are managed under integration functions
Section 44 (Resident ceasing to be resident of authorised establishment.)	Only in relation to residents of establishments which are managed under integration functions
Section 45 (Appeal, revocation etc.)	Only in relation to residents of establishments which are managed under integration functions
The Housing (Scotland) Act 2001	
Section 92 (Assistance for housing purposes.)	Only in so far as it relates to an aid or adaptation.
The Community Care and Health (Scotland) Act 2002	
Section 4 (Accommodation more expensive than usually provided)	
Section 5 (Local authority arrangements for residential accommodation outwith Scotland.)	
Section 14 (Payments by local authorities towards expenditure by NHS bodies on prescribed functions.)	
The Mental Health (Care and Treatment) (Scotland) Act 2003	
Section 17 (Duties of Scottish Ministers, local authorities and others as respects Commission.)	
Section 25 (Care and support services etc.)	Except in so far as it is exercisable in relation to the provision of housing support services.
Section 26 (Services designed to promote well-being and social development.)	Except in so far as it is exercisable in relation to the provision of housing support services.
Section 27 (Assistance with travel.)	Except in so far as it is exercisable in relation to the provision of housing support services.
Section 33 (Duty to inquire.)	
Section 34 (Inquiries under section 33: Co-operation.)	
Section 228 (Request for assessment of needs: duty on local authorities and Health Boards.)	
Section 259 (Advocacy.)	

<i>Column A</i> <i>Enactment conferring function</i>	<i>Column B</i> <i>Limitation</i>
The Housing (Scotland) Act 2006 Section 71(1)(b) (Assistance for housing purposes.)	Only in so far as it relates to an aid or adaptation.
<p>The Adult Support and Protection (Scotland) Act 2007</p> <p>Section 4 (Council's duty to make inquiries.)</p> <p>Section 5 (Co-operation.)</p> <p>Section 6 (Duty to consider importance of providing advocacy and other.)</p> <p>Section 11 (Assessment Orders.)</p> <p>Section 14 (Removal orders.)</p> <p>Section 18 (Protection of moved persons property.)</p> <p>Section 22 (Right to apply for a banning order.)</p> <p>Section 40 (Urgent cases.)</p> <p>Section 42 (Adult Protection Committees.)</p> <p>Section 43 (Membership.)</p>	
<p>Social Care (Self-directed Support) (Scotland) Act 2013</p> <p>Section 3 (Support for adult carers.)</p> <p>Section 5 (Choice of options: adults.)</p> <p>Section 6 (Choice of options under section 5: assistances.)</p> <p>Section 7 (Choice of options: adult carers.)</p> <p>Section 9 (Provision of information about self-directed support.)</p> <p>Section 11 (Local authority functions.)</p> <p>Section 12 (Eligibility for direct payment: review.)</p> <p>Section 13</p>	<p>Only in relation to assessments carried out under integration functions.</p> <p>Only in relation to a choice under section 5 or 7 of the</p>

<i>Column A</i> <i>Enactment conferring function</i>	<i>Column B</i> <i>Limitation</i>
(Further choice of options on material change of circumstances.)	Social Care (Self-directed Support) (Scotland) Act 2013.
Section 16 (Misuse of direct payment: recovery.)	
Section 19 (Promotion of options for self-directed support.)	
National Assistance Act 1948	
Section 45 (Recovery in cases of misrepresentation or non-disclosure)	
Matrimonial Proceedings (Children) Act 1958	
Section 11 (Reports as to arrangements for future care and upbringing of children)	
Social Work (Scotland) Act 1968	
Section 5 (Powers of Secretary of State).	
Section 6B (Local authority inquiries into matters affecting children)	
Section 27 (supervision and care of persons put on probation or released from prison etc.)	
Section 27 ZA (advice, guidance and assistance to persons arrested or on whom sentence deferred)	
Section 78A (Recovery of contributions).	
Section 80 (Enforcement of duty to make contributions.)	
Section 81 (Provisions as to decrees for aliment)	
Section 83 (Variation of trusts)	
Section 86 (Adjustments between authority providing accommodation etc., and authority of area of residence)	
Children Act 1975	
Section 34 (Access and maintenance)	
Section 39 (Reports by local authorities and probation officers.)	

<i>Column A</i> <i>Enactment conferring function</i>	<i>Column B</i> <i>Limitation</i>
Section 40 (Notice of application to be given to local authority)	
Section 50 (Payments towards maintenance of children)	
Health and Social Services and Social Security Adjudications Act 1983	
Section 21 (Recovery of sums due to local authority where persons in residential accommodation have disposed of assets)	
Section 22 (Arrears of contributions charged on interest in land in England and Wales)	
Section 23 (Arrears of contributions secured over interest in land in Scotland)	
Foster Children (Scotland) Act 1984	
Section 3 (Local authorities to ensure well being of and to visit foster children)	
Section 5 (Notification by persons maintaining or proposing to maintain foster children)	
Section 6 (Notification by persons ceasing to maintain foster children)	
Section 8 (Power to inspect premises)	
Section 9 (Power to impose requirements as to the keeping of foster children)	
Section 10 (Power to prohibit the keeping of foster children)	
Children (Scotland) Act 1995	
Section 17 (Duty of local authority to child looked after by them)	
Sections 19 (Local authority plans for services for children)	
Section 20 (Publication of information about services for children)	
Section 21 (Co-operation between authorities)	
Section 22 (Promotion of welfare of children in need)	

<i>Column A</i> <i>Enactment conferring function</i>	<i>Column B</i> <i>Limitation</i>
Section 23 (Children affected by disability)	
Section 24 (Assessment of ability of carers to provide care for disabled children)	
Section 24A (Duty of local authority to provide information to carer of disabled child)	
Section 25 (Provision of accommodation for children etc)	
Section 26 (Manner of provision of accommodation to children looked after by local authority)	
Section 27 (Day care for pre-school and other children)	
Section 29 (After-care)	
Section 30 (Financial assistance towards expenses of education or training)	
Section 31 (Review of case of child looked after by local authority)	
Section 32 (Removal of child from residential establishment)	
Section 36 (Welfare of certain children in hospitals and nursing homes etc)	
Section 38 (Short-term refuges for children at risk of harm)	
Section 76 (Exclusion orders)	
Criminal Procedure (Scotland) Act 1995	
Section 51 (Remand and committal of children and young persons)	
Section 203 (Reports)	
Section 234B (Drug treatment and testing order).	
Section 245A (Restriction of liberty orders).	

<i>Column A</i> <i>Enactment conferring function</i>	<i>Column B</i> <i>Limitation</i>
<p>Adults with Incapacity (Scotland) Act 2000 Section 40 (Supervisory bodies)</p>	
<p>Community Care and Health (Scotland) Act 2002 Section 6 (Deferred payment of accommodation costs)</p>	
<p>Management of Offenders etc (Scotland) Act 2005 Section 10 (Arrangements for assessing and managing risks posed by certain offenders) Section 11 (Review of arrangements)</p>	
<p>Adoption and Children (Scotland) Act 2007 Section 1 (Duty of local authority to provide adoption service) Section 4 (Local authority plans) Section 5 (Guidance) Section 6 (Assistance in carrying out functions under sections 1 and 4) Section 9 (Assessment of needs for adoption support services) Section 10 (Provision of services) Section 11 (Urgent provision) Section 12 (Power to provide payment to person entitled to adoption support service) Section 19 (Notice under section 18: local authority's duties) Section 26 (Looked after children: adoption not proceeding) Section 45 (Adoption support plan) Section 47 (Family member's right to require review of plan)</p>	

<i>Column A</i> <i>Enactment conferring function</i>	<i>Column B</i> <i>Limitation</i>
Section 48 (Other cases where authority under duty to review plan)	
Section 49 (Reassessment of needs for adoption support services)	
Section 51 (Guidance)	
Section 71 (Adoption allowances schemes)	
Section 80 (Permanence orders)	
Section 90 (Precedence of court orders and supervision requirements over order)	
Section 99 (Duty of local authority to apply for variation or revocation)	
Section 101 (Local authority to give notice of certain matters)	
Section 105 (Notification of proposed application for order)	
Adult Support and Protection (Scotland) Act 2007	
Section 7 (Visits)	
Section 8 (Interviews)	
Section 9 (Medical examinations)	
Section 10 (Examination of records etc)	
Section 16 (Right to move adult at risk)	
Children's Hearings (Scotland) Act 2011	
Section 35 (Child assessment orders)	
Section 37 (Child protection orders)	
Section 42 (Parental responsibilities and rights directions)	
Section 44 (Obligations of local authority)	
Section 48 (Application for variation or termination)	

Column A <i>Enactment conferring function</i>	Column B <i>Limitation</i>
Section 49 (Notice of application for variation or termination)	
Section 60 (Local authority's duty to provide information to Principal Reporter)	
Section 131 (Duty of implementation authority to require review)	
Section 144 (Implementation of compulsory supervision order: general duties of implementation authority)	
Section 145 (Duty where order requires child to reside in certain place)	
Section 153 (Secure accommodation: regulations)	
Section 166 (Review of requirement imposed on local authority)	
Section 167 (Appeals to sheriff principal: section 166)	
Section 180 (Sharing of information: panel members)	
Section 183 (Mutual assistance)	
Section 184 (Enforcement of obligations on health board under section 183)	
Social Care (Self- Directed Support)(Scotland) Act 2013	
Section 8 (Choice of options: children and family members)	
Section 10 (Provision of information: children under 16)	
<u>Carers (Scotland) Act 2016(2)</u>	Formatted: Underline
<u>Section 6</u>	Formatted: Font: Not Bold
<u>(duty to prepare adult carer support plan)</u>	Formatted: Font: Not Bold
<u>Section 24</u>	Formatted: Font: Not Bold
<u>(duty to provide support)</u>	Formatted: Font: Not Bold
<u>Section 25</u>	Formatted: Font: Not Bold
<u>(provision of support to carers: breaks from caring)</u>	Formatted: Font: Not Bold
<u>Section 31</u>	Formatted: Font: Not Bold

| (duty to prepare local carer strategy)

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| Section 34

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| (information and advice service for carers)

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| Section 35

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| (short breaks services statements)

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Annex 2

Part 2: Services currently provided by the Local Authority which are to be integrated

- Social work services for adults and older people
- Services and support for adults with physical disabilities and learning disabilities
- Mental health services
- Drug and alcohol services
- Adult protection and domestic abuse
- Carers support services
- Community care assessment teams
- Support services
- Care home services
- Adult placement services
- Health improvement services
- Aspects of housing support, including aids and adaptations
- Day services
- Local area co-ordination
- Respite provision for adults and young people
- Occupational therapy services
- Re-ablement services, equipment and telecare

In addition East Renfrewshire Council will delegate:

- Criminal Justice Social Work Services, including Youth Justice
- Children and Families Social Work Services:-
 - Adoption and Fostering/Corporate Parenting Team;
 - Assessment and Planning Service;
 - Child Protection;
 - Children with Disabilities
 - Intensive Service for children and families
 - Looked After and Accommodated Children;
 - Throughcare Services
 - Transition Team
 - Young Peoples Intensive Service

Annex 3

Hosted Service Arrangement

The Parties will recommend to the Greater Glasgow and Clyde Integration Joint Boards that the Services listed in below are managed by one Integration Joint Board on behalf of the other Integration Joint Boards.

Where an Integration Joint Board is also the Lead Partnership in relation to a Service listed below, the Parties will recommend that:

- a) It is responsible for the operational oversight of such Service(s);
- b) Through its Chief Officer will be responsible for the operational management on behalf of all the Integration Joint Boards;
and
- c) Such Lead Partnership will be responsible for the strategic planning and operational budget of the Hosted Services.

Service Area	Host IJB
▪ Continence services outwith hospital	Glasgow
▪ Enhanced healthcare to Nursing Homes	Glasgow
▪ Musculoskeletal Physiotherapy	West Dunbartonshire
▪ Oral Health – public dental service and primary dental care contractual support	East Dunbartonshire
▪ Podiatry services	Renfrewshire
▪ Primary care contractual support (medical and optical)	Renfrewshire
▪ Sexual Health Services (Sandyford)	Glasgow
▪ Specialist drug and alcohol services and system-wide planning & co-ordination	Glasgow
▪ Specialist learning disability services and learning disability system-wide planning & co-ordination	East Renfrewshire
▪ Specialist mental health services and mental health system-wide planning & co-ordination	Glasgow
▪ Custody and prison healthcare	Glasgow

Out of hours services require to be delegated. Integrated Joint Boards will be asked to agree that the Renfrewshire Integration Joint Board will act as host for strategic planning of these services with delivery on behalf of all Integrated Joint Boards by the Acute Division.

Annex 4
Clinical and Care Governance Structure

