

Report

Integration Scheme – Carers (Scotland) Act 2016 – Update Edinburgh Integration Joint Board

21 June 2019



Executive Summary

1. The Integration Scheme for the Edinburgh Integration Joint Board requires to be updated to reflect changes brought about by the Carers (Scotland) Act 2016, which introduced new statutory obligations on local authorities and health boards, requiring certain local authority and health board functions to be delegated to Integration Joint Boards.
2. This report outlines progress to date by the City of Edinburgh Council and NHS Lothian and the governance process for agreeing the changes.

Recommendations

The Integration Joint Board is asked to:

3. Note the requirement to revise the Integration Scheme in line with the Carers (Scotland) Act 2016 by delegating certain duties from the City of Edinburgh Council and the NHS Lothian Board to the Edinburgh Integration Joint Board.
4. Note the decision taken by the NHS Lothian Board to delegate Section 31 to the Edinburgh Integration Joint Board.
5. Note that, following a decision by the City of Edinburgh Council on the functions to be delegated, a consultation will be carried out, after which the Integration Scheme will be revised and submitted to Scottish Ministers for approval.

Background

6. The Public Bodies (Joint Working) (Scotland) Act 2014 required local authorities and Health Boards to prepare an Integration Scheme for the area of the local authority. The Integration Scheme was to set out how the Integration Authority would be established.
7. The Integration Scheme for the Edinburgh Integration Joint Board was submitted to Scottish Ministers on 19 May 2015.

8. The Scottish Government requires that the Integration Scheme for the Edinburgh Integration Joint Board be updated to reflect changes brought about by the Carers (Scotland) Act 2016, which introduced new statutory obligations on local authorities and health boards.
9. The Public Bodies (Joint Working) (Scotland) Act 2014 sets out certain functions which **must** be delegated to the Integration Joint Board (IJB) and others which **may** be delegated.
10. In terms of the new duties under the Carers (Scotland) Act 2016 the following local Authority functions **must** be delegated to the IJB:
 - Section 6 – Duty to prepare adult carer support plan (and associated responsibilities to review and provide information)
 - Section 21 – Duty to set local eligibility criteria (and associated responsibilities to publish and review)
 - Section 24 – Duty to provide support
 - Section 25 – Provision of support to carers: breaks from caring
 - Section 31 – Duty to prepare local carer strategy (and associated responsibilities to publish and review)
 - Section 34 – Information and advice service for carers
 - Section 35 – Short breaks services statements
11. The statutory guidance provides that “the requirement to delegate the above functions only extends to adult social care. Delegation of these functions with respect to children’s social care remains a matter for local decision.” Local Authority functions under section 12 – duty to prepare young carer statement (and associated responsibilities to publish and review) **may** be delegated.
12. The City of Edinburgh Council has yet to agree formally which functions will be delegated to the Edinburgh Integration Joint Board.
13. In terms of the new duties under the Carers (Scotland) Act 2016 the following Health Board functions **may** be delegated to the IJB:
 - Section 12 – Duty to prepare young carer statement (and associated responsibilities to publish and review).
 - Section 31 – Duty to prepare local carer strategy (and associated responsibilities to publish and review).
14. The NHS Lothian Board agreed, at its meeting of 3 April 2019, to delegate only Section 31 to the four Integration Joint Boards in Lothian.

15. It is intended that a report will be submitted to the City of Edinburgh Council in June 2019, outlining which functions will be delegated to the IJB and the intention to hold a consultation on the proposals. The Council would then carry out a 6-week consultation and report back in August 2019 for formal approval. The updated Scheme must then be submitted to Scottish Ministers for their approval.

Key risks

16. Failure to revise the Integration Scheme would result in the Edinburgh Integration Joint Board, the City of Edinburgh Council and NHS Lothian failing to meet its statutory duties.

Financial implications

17. None.

Implications for Directions

18. None.

Equalities implications

19. None.

Sustainability implications

20. None.

Involving people

21. There will be a statutory consultation on the proposals, as set out in paragraph 13.

Impact on plans of other parties

22. There is no known impact on the plans of other parties.

Background reading/references

23. [Public Bodies \(Joint Working\) \(Scotland\) Act 2014](#)

24. [Integration Scheme](#)

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Appendices

