

REPORT

Edinburgh Integration Joint Board Governance Report

Edinburgh Integration Joint Board

19 April 2021

Executive Summary

The purpose of this report is to provide the Edinburgh Integration Joint Board (EIJB) with an update on the following areas of governance:

- Proposed dates for the meetings of the Edinburgh Integration Joint Board, Development Sessions, Budget Working Groups and the Committees for 2023.
- Terms of reference for each of the EIJB committees.
- Inform the EIJB of changes to membership.

Recommendations

It is recommended that the Edinburgh Integration Joint Board:

1. Agree the proposed EIJB, Development Sessions, Budget Working Groups and committee dates for 2023; and
2. Agree the updated terms of reference for each of the EIJB committees; and
3. Approves the recommendation from the Futures committee in the referral report (appendix 6) to remove this committee from the EIJB and committee structure, and replace with an annual event for all EIJB members to attend; and
4. Note that in line with the Covid-19 restrictions the appropriate engagement and consultation will take place for the future ways of working for the EIJB; and



	<ol style="list-style-type: none"> 5. Appoints Alyson Falconer to replace Belinda Hacking on the Strategic Planning Group as the non-voting Health Professional; and 6. Appoints Susan McMillan to replace Phillip Brown on the Strategic Planning Group as the non-voting Performance Lead. 7. Notes the current vacancies on the EIJB and Committees.
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Directions

Direction to City of Edinburgh Council, NHS Lothian or both organisations	No direction required	✓
	Issue a direction to City of Edinburgh Council	
	Issue a direction to NHS Lothian	
	Issue a direction to City of Edinburgh Council and NHS Lothian	

Report Circulation

1. This report has not been considered elsewhere, however; the terms of reference included in the appendices have been signed off by each relevant committee.

Main Report

Diary Dates for 2023

1. Following from the revision of the Development Sessions and Working Group dates and structure for the 2021 diary, the EIJB diary for 2023 incorporates the same meeting patterns for these sessions alongside a similar structure of Board meetings.
2. The 2023 diary aims to incorporate Committee meetings into the calendar, allowing Chairs and committee members clarity on dates relevant to the IJB meetings.
3. Committee dates follow meeting patterns set out in the Terms of Reference for each committee, which are as follows;
 - a. Audit and Assurance – Quarterly (with an additional meeting in June to consider the annual accounts)
 - b. Clinical and Care Governance – Quarterly



- c. Performance and Delivery – Bi-monthly – two weeks prior to the IJB
 - d. Strategic Planning Group – Six meetings per year.
4. The only exception to the above is the Performance and Delivery Committee. Last year, the Chair requested two additional meetings – one in April and one in September – to consider the savings reports. The same additional meetings have been scheduled for 2023.
 5. Appendix 1 gives Board Members the proposed Diary for 2023. The Diary will be reviewed following the Local Government Election to ensure there are no clashes with Council Committee meetings.
 6. Given the NHS Lothian Committee Diary has not been completed or approved yet, NHSL colleagues can be assured that there are no member clashes with the EIJB dates.
 7. The EIJB dates has been considered in line with the City of Edinburgh Council committee diary, but as noted at point 5, the Diary will be reviewed due to the uncertainty of what other Council committees the new elected members will also be members of.
 8. Given the upcoming Council election in May, further development sessions are in the process of being scheduled for this calendar year to provide new members with an extensive induction into the EIJB and committees.
 9. In line with the Covid-19 restrictions, appropriate engagement will be taken with the members to agree the future ways of working with the EIJB, this will also be considered with the new members of the EIJB.

Review of Terms of Reference for EIJB Committees

10. The EIJB agreed at its meeting of 14 December 2018 to implement the recommendations of the independent review of its governance undertaken by the Good Governance Institute (GGI). This included a revised committee structure, with revised terms of reference.
11. Changes to each committees Terms of Reference are documented on each of the covering reports which reported to committees and are included in appendices 2-5 along with the terms of reference. After consultation with the EIJB's Standards Officer, guidance on how each Committee should proceed when in quorate has been revised. The revised wording is included in each Committee's Terms of Reference
12. The EIJB Legislative and Regulation Requirements log (appendix 7) was also included with the Terms of Reference report to each of the committees so committees could note the legislative and regulation requirements of the EIJB and note where relevant the appropriate committee reporting structure for these.



13. Each committee has considered their individual terms of reference over the February and March period and have now signed off their respective Terms of Reference
14. The annual review of EIJB committees' terms of reference will be scheduled for each April meeting allowing committees to consider each year of the February and March period.
15. The Futures committee were due to meet on 31st March 2022 to consider the report included at appendix 6 which considers the future of the committee, due to the quorum not being met the meeting was cancelled and the committee are currently considering the report. An update will be provided to the EIJB meeting on 22 April 2022, however, it's worth noting that the recommendation is to remove the Futures committee from the EIJB Committee Structure.

Appointments to the EIJB and Committees

16. The Joint Board is responsible, in line with section 3 of the Public Bodies (Joint Working) (Integration Joint Boards) (Scotland) Order 2014 (the Order), for appointing non-voting members to the Board. The City of Edinburgh Council and NHS Lothian are responsible, under the same Order, for appointing their own members to the Joint Board.
17. In line with section 7 of the Order, the term of office of a member of the Joint Board is not to exceed three years, but members can be reappointed for a further term of office.
18. Belinda Hacking has resigned from her role on the Strategic Planning Group. This has left a non-voting Health Professional vacancy on the Committee.
19. It is recommended that Alyson Falconer is appointed to the Strategic Planning Group to fill this vacancy.
20. After Susan McMillan was appointed the Performance and Evaluation Manager for the Edinburgh Health and Social Care Partnership, it is recommended that she is to replace Philip Brown as the non-voting Performance Lead on the Strategic Planning Group.
21. If the Board approve the appointments, there would be two remaining non-voting vacancies on the Strategic Planning Group after Nigel Henderson resigned from his role as the representative for third sector organisations delivering health and social care activity, and Judith Stonebridge resigned from her role as the Public Health Representative.
22. Currently, the EIJB has 3 vacancies after the resignation of Martin Hill, Ian Mackay, and Carl Bickler. This has also left vacancies on the Audit and Assurance Committee and the Clinical and Care Governance Committee.



23. Any proposed replacements to these vacant positions will be submitted to the Board for their approval in due course

Implications for Edinburgh Integration Joint Board

Financial

24. There are no financial implications arising from this report.

Legal / risk implications

25. Failure to appoint Joint Board members and members of the Strategic Planning Group would result in the Joint Board failing to meet the requirements of the Public Bodies (Joint Working) (Integration Joint Boards) (Scotland) Act 2014 and the Public Bodies (Joint Working) (Integration Joint Boards) (Scotland) Order 2014.

Equality and integrated impact assessment

26. There are no equalities implications arising from this report.

Environment and sustainability impacts

27. There are no environment or sustainability implications arising from this report.

Quality of care

28. Not applicable.

Consultation

29. None.

Report Author

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Background Reports

1. [Edinburgh Integration Joint Board Governance Report](#), 21 July 2020
2. [Public Bodies \(Joint Working\) \(Scotland\) Act 2014](#)
3. [Public Bodies \(Joint Working\) \(Integration Joint Boards\) \(Scotland\) Order 2014](#)
4. [Integration Scheme](#)
5. [The Revised Code of Conduct for Members of the Edinburgh Integration Joint Board – Report by the Edinburgh Integration Joint Board Standards Officer.](#)

Appendices

- Appendix 1 Edinburgh Integration Joint Board Diary 2023
- Appendix 2 Terms of Reference – Strategic Planning Group
- Appendix 3 Terms of Reference – Performance and Delivery
- Appendix 4 Terms of Reference – Audit and Assurance
- Appendix 5 Terms of Reference – Clinical and Care Governance
- Appendix 6 Futures of Futures Committee
- Appendix 7 EIJB Legislative and Regulation Requirements log



(Christmas and New Year Recess until w/c 9 January 2023)

Wk1	Mon	9	January	a.m.	
				p.m.	
	Tue	10	January	a.m.	
				p.m.	
	Wed	11	January	a.m.	
				p.m.	
	Thu	12	January	a.m.	
				p.m.	
	Fri	13	January	a.m.	
				p.m.	
Wk2	Mon	16	January	a.m.	
				p.m.	
	Tue	17	January	a.m.	
				p.m.	
	Wed	18	January	a.m.	
				p.m.	
	Thu	19	January	a.m.	Edinburgh Integration Joint Board Development Session
				p.m.	
	Fri	20	January	a.m.	
				p.m.	
Wk3	Mon	23	January	a.m.	
				p.m.	
	Tue	24	January	a.m.	
				p.m.	
	Wed	25	January	a.m.	Strategic Planning Group
				p.m.	
	Thu	26	January	a.m.	Budget Working Group
				p.m.	

	Fri	27	January	a.m.	
				p.m.	
Wk4	Mon	30	January	a.m.	
				p.m.	
	Tue	31	January	a.m.	
				p.m.	
	Wed	1	February	a.m.	Performance and Delivery
				p.m.	
	Thu	2	February	a.m.	
				p.m.	
	Fri	3	February	a.m.	
				p.m.	
Wk5	Mon	6	February	a.m.	
				p.m.	
	Tue	7	February	a.m.	
				p.m.	
	Wed	8	February	a.m.	
				p.m.	
	Thu	9	February	a.m.	
				p.m.	
	Fri	10	February	a.m.	
				p.m.	



Wk6	Mon	13	February	a.m.	
				p.m.	
	Tue	14	February	a.m.	Edinburgh Integration Joint Board
				p.m.	
	Wed	15	February	a.m.	
				p.m.	
	Thu	16	February	a.m.	
				p.m.	
	Fri	17	February	a.m.	Audit and Assurance
				p.m.	
Wk1	Mon	20	February	a.m.	
				p.m.	
	Tue	21	February	a.m.	Budget Working Group
				p.m.	
	Wed	22	February	a.m.	
				p.m.	
	Thu	23	February	a.m.	
				p.m.	
	Fri	24	February	a.m.	
				p.m.	
Wk2	Mon	27	February	a.m.	
				p.m.	
	Tue	28	February	a.m.	
				p.m.	
	Wed	1	March	a.m.	
				p.m.	
	Thu	2	March	a.m.	Clinical and Care Governance
				p.m.	
	Fri	3	March	a.m.	
				p.m.	
Wk3	Mon	6	March	a.m.	



				p.m.	
	Tue	7	March	a.m.	Budget Q&A
				p.m.	
	Wed	8	March	a.m.	Performance and Delivery
				p.m.	
	Thu	9	March	a.m.	
				p.m.	
	Fri	10	March	a.m.	
				p.m.	
Wk4	Mon	13	March	a.m.	
				p.m.	
	Tue	14	March	a.m.	
				p.m.	
	Wed	15	March	a.m.	EIJB Governance Session
				p.m.	
	Thu	16	March	a.m.	
				p.m.	
	Fri	17	March	a.m.	
				p.m.	



Wk5	Mon	20	March	a.m.	
				p.m.	
	Tue	21	March	a.m.	Edinburgh Integration Joint Board (Budget)
				p.m.	
	Wed	22	March	a.m.	Strategic Planning Group
				p.m.	
	Th	23	March	a.m.	
				p.m.	
	Fri	24	March	a.m.	
				p.m.	
Wk6	Mon	27	March	a.m.	
				p.m.	
	Tue	28	March	a.m.	
				p.m.	
	Wed	29	March	a.m.	
				p.m.	
	Th	30	March	a.m.	
				p.m.	
	Fri	31	March	a.m.	
				p.m.	
Wk1	Mon	3	April	a.m.	
				p.m.	
	Tues	4	April	a.m.	
				p.m.	
	Wed	5	April	a.m.	Performance and Delivery
				p.m.	
	Thu	6	April	a.m.	
				p.m.	
	Fri	7	April	a.m.	
				p.m.	
Wk2	Mon	10	April	a.m.	



				p.m.	
	Tue	11	April	a.m.	
				p.m.	
	Wed	12	April	a.m.	
				p.m.	
	Thu	13	April	a.m.	
				p.m.	
	Fri	14	April	a.m.	
				p.m.	
Wk3	Mon	17	April	a.m.	
				p.m.	
	Tue	18	April	a.m.	Edinburgh Integration Joint Board
				p.m.	
	Wed	19	April	a.m.	
				p.m.	
	Thu	20	April	a.m.	
				p.m.	
	Fri	21	April	a.m.	
				p.m.	



Wk4	Mon	24	April	a.m.	
				p.m.	
	Tue	25	April	a.m.	
				p.m.	
	Wed	26	April	a.m.	
				p.m.	
	Thu	27	April	a.m.	
				p.m.	
	Fri	28	April	a.m.	
				p.m.	Audit and Assurance
Wk5	Mon	1	May	a.m.	
				p.m.	
	Tue	2	May	a.m.	Edinburgh Integration Joint Board Development Session
				p.m.	
	Wed	3	May	a.m.	
				p.m.	
	Thu	4	May	a.m.	
				p.m.	
	Fri	5	May	a.m.	
				p.m.	
Wk6	Mon	8	May	a.m.	
				p.m.	
	Tue	9	May	a.m.	
				p.m.	
	Wed	10	May	a.m.	
				p.m.	
	Thu	11	May	a.m.	
				p.m.	
	Fri	12	May	a.m.	
				p.m.	
Wk1	Mon	15	May	a.m.	



				p.m.	
	Tue	16	May	a.m.	
				p.m.	
	Wed	17	May	a.m.	
				p.m.	
	Thu	18	May	a.m.	
				p.m.	
	Fri	19	May	a.m.	
				p.m.	
Wk2	Mon	22	May	a.m.	
				p.m.	
	Tue	23	May	a.m.	
				p.m.	
	Wed	24	May	a.m.	
				p.m.	
	Thu	25	May	a.m.	Clinical and Care Governance
				p.m.	
	Fri	26	May	a.m.	
Wk3				p.m.	
	Mon	29	May	a.m.	
				p.m.	
	Tue	30	May	a.m.	
				p.m.	
	Wed	31	May	a.m.	Performance and Delivery
				p.m.	
	Thu	1	June	a.m.	
				p.m.	
Wk4	Fri	2	June	a.m.	
				p.m.	
	Mon	5	June	a.m.	
				p.m.	



	Tue	6	June	a.m.	
				p.m.	
	Wed	7	June	a.m.	EIJB Governance Session
				p.m.	
	Thu	8	June	a.m.	
				p.m.	
	Fri	9	June	a.m.	
				p.m.	
Wk5	Mon	12	June	a.m.	
				p.m.	
	Tue	13	June	a.m.	Edinburgh Integration Joint Board
				p.m.	
	Wed	14	June	a.m.	Strategic Planning Group
				p.m.	
	Thu	15	June	a.m.	
				p.m.	
	Fri	16	June	a.m.	
				p.m.	
Wk6	Mon	19	June	a.m.	
				p.m.	
	Tue	20	June	a.m.	
				p.m.	
	Wed	21	June	a.m.	
				p.m.	
	Thu	22	June	a.m.	
				p.m.	
	Fri	23	June	a.m.	Audit and Assurance (accounts)
				p.m.	
Wk1	Mon	26	June	a.m.	
				p.m.	
	Tue	27	June	a.m.	



				p.m.	
	Wed	28	June	a.m.	
				p.m.	
<i>(Summer recess until w/c 1 August 2021)</i>					
Wk2	Mon	31	August	a.m.	
				p.m.	
	Tues	1	August	a.m.	
				p.m.	
	Wed	2	August	a.m.	Performance and Delivery
				p.m.	
	Thu	3	August	a.m.	
				p.m.	
	Fri	4	August	a.m.	
				p.m.	
Wk3	Mon	7	August	a.m.	
				p.m.	
	Tue	8	August	a.m.	Edinburgh Integration Joint Board
				p.m.	
	Wed	9	August	a.m.	
				p.m.	
	Thu	10	August	a.m.	
				p.m.	
	Fri	11	August	a.m.	
				p.m.	
Wk4	Mon	14	August	a.m.	
				p.m.	
	Tue	15	August	a.m.	
				p.m.	
	Wed	16	August	a.m.	Strategic Planning Group
				p.m.	
	Thu	17	August	a.m.	



				p.m.	
	Fri	18	August	a.m.	
				p.m.	
Wk5	Mon	21	August	a.m.	
				p.m.	
	Tue	22	August	a.m.	
				p.m.	
	Wed	23	August	a.m.	
				p.m.	
	Thu	24	August	a.m.	
				p.m.	
	Fri	25	August	a.m.	
				p.m.	
Wk6	Mon	28	August	a.m.	
				p.m.	
	Tue	29	August	a.m.	EIJB Governance Session
				p.m.	
	Wed	30	August	a.m.	
				p.m.	
	Thu	31	August	a.m.	
				p.m.	
	Fri	1	September	a.m.	
				p.m.	
Wk1	Mon	4	September	a.m.	
				p.m.	
	Tue	5	September	a.m.	
				p.m.	
	Wed	6	September	a.m.	Performance and Delivery
				p.m.	
	Thu	7	September	a.m.	Clinical and Care Governance
				p.m.	



	Fri	8	September	a.m.	
				p.m.	
Wk2	Mon	11	September	a.m.	
				p.m.	
	Tue	12	September	a.m.	Budget Working Group
				p.m.	
	Wed	13	September	a.m.	
				p.m.	
	Thu	14	September	a.m.	
				p.m.	
	Fri	15	September	a.m.	Audit and Assurance
				p.m.	
Wk3	Mon	18	September	a.m.	
				p.m.	
	Tue	19	September	a.m.	
				p.m.	
	Wed	20	September	a.m.	
				p.m.	
	Thu	21	September	a.m.	
				p.m.	
	Fri	22	September	a.m.	
				p.m.	
Wk4	Mon	25	September	a.m.	
				p.m.	
	Tue	26	September	a.m.	Edinburgh Integration Joint Board Annual Accounts & Development Session
				p.m.	
	Wed	27	September	a.m.	
				p.m.	
	Thu	28	September	a.m.	
				p.m.	



	Fri	29	September	a.m.	
				p.m.	
Wk5	Mon	2	October	a.m.	
				p.m.	
	Tue	3	October	a.m.	
				p.m.	
	Wed	4	October	a.m.	Performance and Delivery
				p.m.	
	Thu	5	October	a.m.	
				p.m.	
	Fri	6	October	a.m.	
				p.m.	
Wk6	Mon	9	October	a.m.	
				p.m.	
	Tue	10	October	a.m.	
				p.m.	
	Wed	11	October	a.m.	Strategic Planning Group
				p.m.	
	Thu	12	October	a.m.	
				p.m.	
	Fri	13	October	a.m.	
				p.m.	
Wk1	Mon	16	October	a.m.	
				p.m.	
	Tue	17	October	a.m.	Edinburgh Integration Joint Board
				p.m.	
	Wed	18	October	a.m.	
				p.m.	
	Thu	19	October	a.m.	
				p.m.	
	Fri	20	October	a.m.	



				p.m.	
Wk2	Mon	23	October	a.m.	
				p.m.	
	Tue	24	October	a.m.	
				p.m.	
	Wed	25	October	a.m.	
				p.m.	
	Thu	26	October	a.m.	
				p.m.	
	Fri	27	October	a.m.	
				p.m.	
Wk3	Mon	30	October	a.m.	
				p.m.	
	Tue	31	October	a.m.	
				p.m.	
	Wed	1	November	a.m.	
				p.m.	
	Thu	2	November	a.m.	Clinical and Care Governance
				p.m.	
	Fri	3	November	a.m.	
				p.m.	
Wk4	Mon	6	November	a.m.	
				p.m.	
	Tue	7	November	a.m.	Budget Working Group
				p.m.	
	Wed	8	November	a.m.	
				p.m.	
	Thu	9	November	a.m.	
				p.m.	
	Fri	10	November	a.m.	
				p.m.	



Wk5	Mon	13	November	a.m.	
				p.m.	
	Tue	14	November	a.m.	
				p.m.	
	Wed	15	November	a.m.	
				p.m.	
	Thu	16	November	a.m.	
				p.m.	
	Fri	17	November	a.m.	
				p.m.	
Wk6	Mon	20	November	a.m.	
				p.m.	
	Tue	21	November	a.m.	Edinburgh Integration Joint Board Development Session
				p.m.	
	Wed	22	November	a.m.	
				p.m.	
	Thu	23	November	a.m.	
				p.m.	
	Fri	24	November	a.m.	Audit and Assurance
				p.m.	
Wk1	Mon	27	November	a.m.	
				p.m.	
	Tue	28	November	a.m.	
				p.m.	
	Wed	29	November	a.m.	Performance and Delivery
				p.m.	
	Thu	30	November	a.m.	
				p.m.	
	Fri	1	December	a.m.	
				p.m.	



Wk2	Mon	4	December	a.m.	
				p.m.	
	Tue	5	December	a.m.	Edinburgh Integration Joint Board Development Session
				p.m.	
	Wed	6	December	a.m.	Strategic Planning Group
				p.m.	
	Thu	7	December	a.m.	
				p.m.	
	Fri	8	December	a.m.	
				p.m.	
Wk3	Mon	11	December	a.m.	
				p.m.	
	Tue	12	December	a.m.	Edinburgh Integration Joint Board
				p.m.	
	Wed	13	December	a.m.	
				p.m.	
	Thu	14	December	a.m.	EIJB Governance Session
				p.m.	
	Fri	15	December	a.m.	
				p.m.	
Wk4	Mon	18	December	a.m.	
				p.m.	
	Tue	19	December	a.m.	
				p.m.	
	Wed	20	December	a.m.	
				p.m.	
	Thu	21	December	a.m.	
				p.m.	
	Fri	22	December	a.m.	
				p.m.	

REPORT

Terms of Reference

Strategic Planning Group Committee

23 March 2022

Executive Summary

This paper presents the Terms of Reference for review by the Strategic Planning Group (SPG).

Recommendations

- The SPG is asked to review and agree the Terms of Reference.
- The SPG is asked to refer the Terms of Reference to the EIJB for formal ratification following discussion and agreement at this meeting.

Directions

Direction to City of Edinburgh Council, NHS Lothian or both organisations	No direction required	✓
	Issue a direction to City of Edinburgh Council	
	Issue a direction to NHS Lothian	
	Issue a direction to City of Edinburgh Council & NHS Lothian	

Report Circulation

1. This report has not been circulated to any governance committee prior to submission to the SPG.

Main Report

2. The Terms of Reference (ToRs) for all committees were agreed at the Edinburgh Integration Joint Board (EIJB) on 21 July 2020 with all committees expected to review their ToRs on an annual basis. The annual review for 2022 is now due.
3. This report proposes the following changes to the SPG ToRs and is included at appendix 1, which is mainly presentational / using consistent terminology:
 - a) Integration Joint Board (IJB) has been amended to EIJB throughout the terms of reference;
 - b) Paragraph 4.4 changed “Head of Strategic Planning” to “Service Director – Strategic Planning”.

- c) Paragraph 4.13 has been added to provide on advice on what actions can be taken if the Committee does not meet quorum.
- d) Paragraph 5.1 point e) added “Develop the Strategic Plan for sign off by the EIJB and thereafter.”
- e) The EIJB has several legislative and regulatory requirements that have been delegated to the SPG namely:
 - The requirement to develop the Strategic Plan for sign off by the EIJB
 - The requirement to review the Strategic Plan on behalf of the EIJB.
- f) All elements delegated to the SPG have been included within the revised ToRs. Appendix 2 provides a full list of the EIJB legislative and regulatory requirements.

Implications for Edinburgh Integration Joint Board

Financial

- 4. There are no specific implications arising from this report.

Legal/risk implications

- 5. There are no specific implications arising from this report.

Equality and integrated impact assessment

- 6. There are no specific implications arising from this report.

Environment and sustainability impacts

- 7. There are no specific implications arising from this report.

Quality of care

- 8. There are no specific implications arising from this report.

Consultation

- 9. There are no specific implications arising from this report.

Report Author

Tony Duncan

Service Director – Strategic Planning

Contact for further information:

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Appendices

Appendix 1	Strategic Planning Group – Terms of Reference
Appendix 2	Log of Regulatory and Legislative Requirements

Edinburgh Integration Joint Board Strategic Planning Group Committee Terms of Reference

1. Constitution of the Committee

- 1.1 The Strategic Planning Group is a statutory Committee established by the Edinburgh Integration Joint Board (EIJB) to monitor, review and report to the Board on the strategy, plans and delivery of the delegated Partnership's services.

2. Purpose and function

- 2.1 The purpose and function of the Committee, on behalf of the Edinburgh Integration Joint Board is to:
- a) Oversee strategic planning processes to meet statutory obligations placed on the EIJB in respect of strategies and plans
 - b) Provide assurance to the EIJB that processes are fully inclusive of stakeholders and partners and formal consultative processes are followed;
 - c) Identify on behalf of the EIJB key priorities, progress arrangements and outcomes in relation to the planning of services;
 - d) Approve Directions, in line with the current EIJB Directions policy, in order to deliver the Strategic Plan. If the SPG accepts these Directions, they will be recommended to the EIJB for formal adoption; and
 - e) Consider ideas from all interested groups, including EIJB committees, on ways to deliver the objectives of the Strategic Plan. If adopted this will initiate revised Directions.

3. Authority

- 3.1 The Committee is:
- a) A statutory Committee of the EIJB reporting directly to the EIJB, and has no executive powers, other than those specifically delegated in these Terms of Reference;
 - b) Authorised by the EIJB to investigate any activity within its Terms of Reference, to seek any information it requires from any officer of the Partnership, and to invite any employee of an organisation within the Partnership to provide information by request at a meeting of the Committee to support its work, as and when required, taking due

cognisance of their employing organisation's policies and procedures in doing so.

- c) Authorised by the EIJB to secure the attendance of individuals and authorities from outside the Partnership with relevant experience and expertise if it considers this necessary for the exercise of its functions, including whatever professional advice it requires (as advised by the Executive Leads of the Committee and / or Office of the Chief Officer).

3.2 The Committee shall have the power to establish, in exceptional circumstances, sub-committees and / or task and finish groups for the purpose of addressing specific tasks or areas of responsibility, if approved by the EIJB. In accordance with the Partnership's Standing Orders, the Committee may not delegate powers to a sub-committee or task and finish group unless expressly authorised by the EIJB; and

3.3 The Terms of Reference, including the reporting procedures of any sub-committees or task and finish groups must be approved by the EIJB and reviewed on an annual basis.

4. Membership and quorum

Membership

4.1 Members of the Committee shall be appointed by the EIJB and shall be made up of 4 Voting Members of the IJB, drawn equally from NHS Lothian and The City of Edinburgh Council. 2 non-voting members of the EIJB shall be appointed to the Committee by the Board as non-voting members of the Committee.

4.2 The Vice Chair of the EIJB will be the Chair of the Committee. The Chair of the EIJB will act as Vice Chair of this committee.

4.3 A further Voting member of the Committee can assume the role of Chair in the formal absence of the appointed Chair, with the agreement of the Committee members.

4.4 The Executive Lead (Service Director – Strategic Planning) or a designated alternative from the Office of the Chief Officer, will be in attendance at all meetings of the committee. Other attendees at the Committee shall be appointed by the EIJB and shall be made up of representatives drawn from the following groups:

- Non-voting members of the IJB
- NHSL Director of Planning
- Health professionals;
- Service users of health care;
- Carers in health care;

- Social care professionals;
- Service users of social care;
- Carers from social care;
- Independent providers of social care;
- Staff side representative;
- Registered Social Housing organisations; and
- Third sector bodies carrying out activities related to health care or social care

- 4.5 The Chief Officer shall not be a member of the Committee but may be in attendance.
- 4.6 Other than as specified above, only members of the Committee have the right to attend Committee meetings. Other non-Committee members may be invited to attend and assist the Committee from time to time, according to particular items being considered and discussed.
- 4.7 Members are able to attend Committee meetings in person, by telephone, or by other electronic means. Members in attendance by electronic means will count towards the quorum.
- 4.8 Secretariat support will be provided by a combination of the Office of the Chief Officer and the City of Edinburgh Council Committee Services' team.
- 4.9 All members of the Committee shall receive training and development support before joining the Committee and on a continuing basis to ensure their effectiveness as members, supported by a performance assessment process, as agreed by the EIJB.
- 4.10 An attendance record shall be held for each meeting and an annual register of attendance will be included in the annual report of the Committee to the Board.

Quorum

- 4.11 The quorum necessary for the transaction of business shall be 4 members as defined in 4.1 above, including the Chair and at least one Voting member.
- 4.12 A duly convened meeting of the Committee at which a quorum is present shall be competent to exercise all or any of the authorities, powers, and discretions delegated to the Committee.
- 4.13 If inquorate, the committee may meet informally to discuss reports but is not permitted to make any decisions. Decisions including those based on recommendations in a report must be agreed under quorum.

5. Duties

Core duties

5.1 Core duties on behalf of the EIJB:

- a) Review reports (with business cases as necessary) and related Directions measured against the Strategic Plan.
- b) Ensure appropriate consultation and engagement activity has taken place with Partners in the development of reports and Directions.
- c) Ensure Directions have appropriate finance and performance measures in place.
- d) Provide a forum to debate the implications of emerging health and social care themes and any local or national initiatives; to include input from Locality Planning Groups.
- e) Develop the Strategic Plan for sign off by the EIJB and thereafter review the Strategic Plan annually and recommend any proposed amendments to the EIJB.
- f) Consider the implications of future Joint Strategic Needs Assessments and input provided by the Futures Committee.
- g) Collaborate on and oversee the production and delivery of future Strategic Plans.
- h) Monitoring of Financial Framework

Cycle of Business

- 5.2 The Committee will set an annual plan for its work to form part of the Board's Annual Cycle of Business, informed by the Board Assurance Framework, and report to the Board on its progress and appendix 2 includes the annual plan which will be subject to change as additional workstreams may be added to the annual plan throughout the year. The annual plan will be presented to the committee at each meeting to ensure accuracy.

6. Reporting and accountability

- 6.1 The Committee Chair will report formally to the EIJB on its proceedings after each meeting on all matters within its duties and responsibilities, summarising areas where action or improvement is needed.
- 6.2 The Terms of Reference shall be reviewed by the Committee and approved by the EIJB on an annual basis.

7. Committee Administration

- 7.1 The Committee shall meet a minimum of six times a year and at such other times as the Chair of the Committee, in consultation with the Committee Secretary, shall require, allowing the Committee to discharge all of its responsibilities.

- 7.2 The Chair may at any time convene additional meetings of the Committee to consider business that requires urgent attention.
- 7.3 The agenda will be set in advance by the Chair, with the office of the Chief Officer and Partnership Executive leads reflecting an Integration cycle of meetings and business, which is agreed each year for the Board and its Committees, to ensure it fulfils its duties and responsibilities in an open and transparent manner.
- 7.4 Notice of each meeting confirming the venue, time and date, together with an agenda of items to be discussed, shall be made available to each member of the Committee, no less than seven working days before the date of the meeting in electronic form. Supporting papers shall be made available no later than five working days before the date of the meeting.
- 7.5 Committee papers shall include an outline of their purpose and key points in line with the IJB's Committee protocol, and make clear what actions are expected of the Committee.
- 7.6 The Chair shall establish, at the beginning of each meeting, the existence of any conflicts of interest and ensure these are recorded in the minutes accordingly.
- 7.7 The Committee Secretary shall minute the proceedings of all Committee meetings, including recording the names of those present, in attendance and absent. Draft minutes of Committee meetings shall be made available promptly to all members of the Committee, normally within ten days of the meeting.
- 7.8 The Committee shall, at least once a year, review its own performance, using a process agreed for all Board committees by the EIJB.

Procedural control statement:

Date approved: awaiting approval by April 2022 EIJB

Approved by: Integration Joint Board

Review date: March 2023 or earlier

Appendix 1 – Membership

Strategic Planning Group	
Chair	Angus McCann
Voting	Councillor Ricky Henderson (Vice Chair)
	Siddharthan Chandran
	Councillor Robert Aldridge
Non-voting	Christine Farquhar
	Bridie Ashrowan
Executive Lead	Tony Duncan
Attendees	Grant Macrae – (Citizen Representative) Allister McKillop – (Citizen Representative)
	Colin Briggs – NHSL Director of Planning
	Colin Beck – Strategy Planning and Quality Manager (Social Care Professional)
	Alyson Falconer – Head of Adult Psychology Services, NHSL, (Health Professional)
	Peter McCormick – (Social Care Commercial Provider)
	Rene Rigby – Independent Sector Lead (Social Care Commercial Provider)
	Stephanie-Anne Harris – Strategic Development Manager, Edinburgh Community Health Forum (Health Care Non-Commercial Provider)
	Hazel Young – Managing Director, Dunedin Canmore (Social Housing Non-Commercial Provider)
	Vacancy - Third sector organisations delivering health and social care activity
	Michelle Mulvaney - Community Engagement Manager

	Susan McMillan – Performance and Evaluation Manager (Performance Lead)
	TBC - Public Health Consultant
Committee Secretary	Donna Rodger, Executive Assistant Committee Services

REPORT

Terms of Reference

Performance and Delivery Committee

2 March 2022

Executive Summary

This paper presents the Terms of Reference for review by the Performance and Delivery Committee

Recommendations

- The Committee is asked to review and agree the Terms of Reference.
- The Committee is asked to refer the Terms of Reference to the EIJB for formal ratification following discussion and agreement at this meeting

Directions

Direction to City of Edinburgh Council, NHS Lothian or both organisations	No direction required	✓
	Issue a direction to City of Edinburgh Council	
	Issue a direction to NHS Lothian	
	Issue a direction to City of Edinburgh Council & NHS Lothian	

Report Circulation

1. This report has not been considered elsewhere.

Main Report

2. As stated in paragraph 3.3 of the Terms of Reference (ToR) for the Performance and Delivery Committee, the ToR is to be reviewed annually at a Committee meeting and then be forwarded to the Integration Joint Board for its approval. The ToR is attached as an Appendix to this paper for that review.
3. This report proposes the following changes to the ToR:
 - 3.1. Paragraph 4.14 has been added to provide on advice on what actions can be taken if the Committee does not meet quorum.
 - 3.2. The Edinburgh Integration Joint Board (EIJB) has several legislative and regulatory requirements that have been delegated to the Performance and Delivery Committee namely:

- The requirement to prepare an annual performance report
- The requirement to monitor directions issued
- The requirement to comply with the Equalities Act 2010 / Public Sector Equality Duty

3.3. All elements delegated to the Performance and Delivery Committee have been included within the revised terms of reference. Appendix 2 provides a full list of the EIJB legislative and regulatory requirements.

Implications for Edinburgh Integration Joint Board

Financial

4. There are no specific implications arising from this report.

Legal/risk implications

5. There are no specific implications arising from this report.

Equality and integrated impact assessment

6. There are no specific implications arising from this report.

Environment and sustainability impacts

7. There are no specific implications arising from this report.

Quality of care

8. There are no specific implications arising from this report.

Consultation

9. There are no specific implications arising from this report.

Report Author

Moira Pringle, Chief Finance Officer, Edinburgh Health and Social Care Partnership

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Appendices

Appendix 1	Performance and Delivery Committee – Terms of Reference
Appendix 2	Log of Regulatory and Legislative Requirements



Edinburgh Integration Joint Board Performance and Delivery Committee Terms of Reference

1. Constitution of the Committee

- 1.1 The Performance and Delivery Committee is a non-statutory Committee established by the Integration Joint Board to provide advice and assurance to the Board on the effectiveness on the operational and financial performance of the Edinburgh Health and Care Partnership.

2. Purpose and function

- 2.1 The purpose and function of the Committee, on behalf of the Integration Joint Board is to:
- a) Oversee, a performance and progress reporting framework and supporting processes which provide assurance to the Integrated Joint Board about performance, progress and delivery of delegated services;
 - b). Receive and gain assurance from the **performance** framework and reports on services commissioned by the IJB and the financial consequences of delivering these services;
 - c) Overview and report on the **delivery** of health & social care in Edinburgh.

3. Authority

- 3.1 The Committee is:
- a) a non-statutory Committee of the Integration Joint Board reporting directly to the Integration Joint Board, and has no executive powers, other than those specifically delegated in these Terms of Reference
 - b) authorised by the Integration Joint Board to investigate any activity within its terms of reference, to seek any information it requires from any officer of the Partnership, and to call any employee to be questioned at a meeting of the Committee as and when required, taking due cognisance of their employing organisation's policies and procedures in doing so
 - c) authorised by the Integration Joint Board to secure the attendance of individuals and authorities with relevant experience and expertise if it considers this necessary for the exercise of its functions, including whatever professional advice it requires (as advised by the Committee Secretary)



- 3.2 The Committee shall have the power, in exceptional circumstances, to establish task and finish groups for the purpose of addressing specific tasks or areas of responsibility. In accordance Standing Orders, the Committee may not delegate powers to a task and finish group unless expressly authorised by the Integration Joint Board.
- 3.3 The terms of reference, including the reporting procedures of any task and finish group, must be approved by the Integration Joint Board and be reviewed on an annual basis.

4. Membership and quorum

Membership

- 4.1 Members of the Committee shall be appointed by the Integration Joint Board and shall be made up of 4 Voting Members of the IJB, drawn equally from NHS Lothian and The City of Edinburgh Council. Four non-voting IJB members shall be appointed to the Committee as non-voting members.
- 4.2 One of the Voting members will be appointed by the Integration Joint Board as the Chair of the Committee. The Chair will be rotated between Voting members on a basis agreed by the Integration Board to ensure a suitable balance between partner organisations is maintained across the five main committees of the IJB.
- 4.3 In the absence of the Chair, a Voting member of the Committee may assume the role of Chair in the formal absence of the appointed Chair.
- 4.4 The Chief Finance Officer or a designated alternative shall act as the executive lead for the committee and shall attend all meetings.
- 4.5 The Chair of the Integration Joint Board and the Chief Officer shall not be members of the Committee, but they may be in attendance.
- 4.6 Other than as specified above, only members of the Committee have the right to attend Committee meetings. Other non-Committee members may be invited to attend and assist the Committee from time to time, according to particular items being considered and discussed.
- 4.7 Members and attendees are able to attend Committee meetings in person, by telephone, or by other electronic means. Members in attendance by electronic means will count towards the quorum.
- 4.8 If a committee fails to meet quorum, the Committee can agree to either suspend and reorganise the meeting, or continue, with that decision noted and decisions made on reports noted in the minute and agreed by all members at the next meeting.



- 4.9 Secretariat support will be provided by named members of the Office of the Chief Officer and CEC committee Services.
- 4.10 All members of the Committee shall receive training and development support before joining the committee and on a continuing basis to ensure their effectiveness as members, supported by a performance assessment process, as agreed by the Integration Joint Board.
- 4.11 An attendance record shall be held for each meeting and an annual register of attendance will be included in the annual report of the Committee to the Board.

Quorum

- 4.12 The quorum necessary for the transaction of business shall be 4 members as defined in 4.1 above, including the Chair and at least one Voting member.
- 4.13 A duly convened meeting of the Committee at which a quorum is present shall be competent to exercise all or any of the authorities, powers, and discretions delegated to the Committee.
- 4.14 If inquorate, the committee may meet informally to discuss reports but is not permitted to make any decisions. Decisions including those based on recommendations in a report must be agreed under quorum.

5. Duties

Core duties

- 5.1 The core duties of the committee will be to:
- a) Develop and review a comprehensive performance management system (5.1.3 of the Integration Scheme), including the Performance and delivery framework and financial reporting in respect of delivery of the delegated functions.
 - b) Consider performance reports which examine the relevant data, as defined by the relevant directions, and explore the level of assurance the committee can recommend to the IJB on the delivery of each Direction.
 - c) Make use of risk registers and directions register to inform work plan priorities, and produce an annual work plan for the committee.
 - d) Review annually the integrated data set and Directions Register.



- e) Review performance reports to EIJB in advance of the Board considering them in order to give assurance when required.
 - f) Consider the information on delegated functions for Edinburgh, which will be included in the Annual Report for adoption and approval by the IJB.
 - g) Liaise with CEC and NHSL to receive assurance that CEC and NHSL continue carry out their remits for assurance and scrutiny. (5.1.5 of the Integration Scheme).
 - h) The Committee reserves the right to examine any aspect of the delivery of any delegated functions, but it will define 'exception and variance' limits in order to focus its work to the most important areas and those at risk. This approach will also ensure that appropriate management action can be taken or, if necessary, the Committee can recommend to the IJB if a Direction needs to be modified. Where it appears that neither of these will address the issues identified, the Committee will refer this to the IJB.
- 5.2 The Edinburgh Integration Joint Board (EIJB) has several legislative and regulatory requirements that have been delegated to the Performance and Delivery Committee namely:
- 5.2.1 The requirement to prepare an annual performance report
 - 5.2.2 The requirement to monitor directions issued
 - 5.2.3 The requirement to comply with the Equalities Act 2010 / Public Sector Equality Duty
- 5.3 All elements delegated to the Performance and Delivery Committee have been included within the revised terms of reference.

Cycle of Business

- 5.3 The Committee will set an annual plan for its work to form part of the Board's Annual Cycle of Business, informed by the Board Assurance Framework, and report to the Board on its progress and appendix 2 includes the annual plan which will be subject to change as additional workstreams may be added to the annual plan throughout the year. The annual plan will be presented to the committee at each meeting to ensure accuracy.

6. Reporting and accountability

- 6.1 The Committee Chair shall report formally to the Integration Joint Board on its proceedings after each meeting outcomes and exception issues within its duties and responsibilities, summarising areas where action or improvement is needed.
- 6.2 An Integration report with narrative will be provided by the Executive to each Integration Joint Board meeting.

- 6.3 The terms of reference shall be reviewed by the Committee and approved by the Integration Joint Board on an annual basis. (Normally at its June meeting).

7. Committee Administration

- 7.1 The Committee shall meet *bi-monthly* and at such other times as the Chair of the Committee, in consultation with the Committee Secretary, shall require, allowing the Committee to discharge all of its responsibilities.
- 7.2 The Chair may at any time convene additional meetings of the Committee to consider business that requires urgent attention.
- 7.3 The agenda will be set in advance by the Chair, with the Committee Secretariat support and executive lead, reflecting an Integration cycle of meetings and business, which is agreed each year for the Board and its Committees, to ensure it fulfils its duties and responsibilities in an open and transparent manner.
- 7.4 Notice of each meeting confirming the venue, time and date, together with an agenda of items to be discussed, shall be made available to each member of the Committee, no less than five working days before the date of the meeting in electronic form. Supporting papers shall be made available no later than five working days before the date of the meeting.
- 7.5 Committee papers shall include an outline of their purpose and key points in line with the IJB's Committee protocol, and make clear what actions are expected of the Committee.
- 7.6 The Chair shall establish, at the beginning of each meeting, the existence of any conflicts of interest and ensure that these are recorded in the minutes accordingly.
- 7.7 The Committee secretariat support shall minute the proceedings of all Committee meetings, including recording the names of those present, in attendance and absent. Draft minutes of Committee meetings shall be made available promptly to all members of the Committee, normally within ten working days of the meeting.

Procedural control statement:

Date approved: awaiting approval by April 2022 EIJB

Approved by: Integration Joint Board

Review date: March 2023 or earlier

**Appendix 1 – Membership**

Chair	Councillor Melanie Main
Voting	<ul style="list-style-type: none">• Richard Williams• Councillor Phil Daggart• Siddharthan Chandran
Non-voting	<ul style="list-style-type: none">• Helen Fitzgerald• Colin Beck• Ruth Hendery• Emma Reynish
Executive Lead	<ul style="list-style-type: none">• Moira Pringle/Tony Duncan
Attendees	<ul style="list-style-type: none">• Susan McMillan - Performance• Ele Clemente/David Walker - Finance
Committee Secretariat support	<ul style="list-style-type: none">• Helen Elder, Office of the Chief Officer• Mathew Brass, Committee Services

REPORT

Terms of Reference

Clinical and Care Governance Committee

17 February 2022

Executive Summary

This paper presents the Terms of Reference for review by the Clinical and Care Governance Committee

Recommendations

- The Committee is asked to review and agree the Terms of Reference.
- The Committee is to be asked to refer the Terms of Reference to the EIJB for formal ratification following discussion and agreement at this meeting

Directions

Direction to City of Edinburgh Council, NHS Lothian or both organisations	No direction required	✓
	Issue a direction to City of Edinburgh Council	
	Issue a direction to NHS Lothian	
	Issue a direction to City of Edinburgh Council & NHS Lothian	

Report Circulation

1. This report has not been considered elsewhere.

Main Report

2. As stated in paragraph 3.4 of the Terms of Reference (ToR) for the Clinical and Care Governance Committee, the ToR is to be reviewed annually at a Committee meeting and then be forwarded to the Integration Joint Board for its approval. The ToR is attached as an Appendix to this paper for that review.
3. The Edinburgh Integration Joint Board has a range of regulatory and statutory requirements and this has been considered as part of the review of the terms of reference and no requirements delegated to the Clinical and Care Governance Committee. Appendix 2 provides an overview of where responsibility has been delegated for a range of regulatory and statutory requirements.

Implications for Edinburgh Integration Joint Board

Financial

4. There are no specific implications arising from this report.

Legal/risk implications

5. There are no specific implications arising from this report.

Equality and integrated impact assessment

6. There are no specific implications arising from this report.

Environment and sustainability impacts

7. There are no specific implications arising from this report.

Quality of care

8. There are no specific implications arising from this report.

Consultation

9. There are no specific implications arising from this report.

Report Author

Mike Massaro-Mallinson, Service Director – Operations, Edinburgh Health and Social Care Partnership

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Appendices

Appendix 1	Clinical and Care Governance Committee – Terms of Reference
Appendix 2	Log of Regulatory and Legislative Requirements



Edinburgh Integration Joint Board Clinical and Care Governance Committee Terms of reference

1. Constitution of the Committee

- 1.1 The Clinical and Care Governance Committee is established by the Integration Joint Board to monitor, review and report to the Board on the quality of care to the local population, specifically in relation to safety, quality of access and clinical effectiveness and experience.

2. Purpose and function

- 2.1 The purpose and function of the Committee is to gain assurance, on behalf of the Integration Joint Board:
- a) on the systems for delivery of safe, effective, person-centred care in line with the Integration Joint Board's statutory duty for the quality of health and care services.
 - b) that clinical and care governance is being discharged within the Partnership in relation to the statutory duty for quality of care and that this is being led professionally and clinically with the oversight of the IJB.
 - c) to provide the strategic direction for development of clinical and care governance within the Partnership and to ensure its implementation.
 - d) through the Clinical and Care Governance Group to ensure that there are effective structures, processes and systems of control for the achievement of the Integration Joint Board's priorities, where these relate to regulatory compliance, service user experience, safety and the quality of service outcomes.
 - e) that services respond to requirements arising from regulation, accreditation (including staff accreditation and registration) and other inspections' recommendations

3. Authority

- 3.1 The Committee is:
- a) a non-statutory Committee of the Integration Joint Board reporting directly to the Integration Joint Board, and has no executive powers, other than those specifically delegated in these Terms of Reference;



- b) authorised by the Integration Joint Board to investigate any activity within its Terms of Reference, to seek any information it requires from any officer of the Partnership, and to invite any employee of an organisation within the Partnership to provide information by request at a meeting of the Committee to support its work, as and when required, taking due cognisance of their employing organisation's policies and procedures in doing so; and
 - c) authorised by the Integration Joint Board to invite the attendance of individuals and authorities from outside the Partnership with relevant experience and expertise if it considers this necessary for the exercise of its functions, including whatever professional advice it requires (as advised by the Executive Leads of the Committee and / or Office of the Chief Officer).
- 3.3 The Committee shall have the power to establish, in exceptional circumstances, sub-committees and / or task and finish groups for the purpose of addressing specific tasks or areas of responsibility, if approved by the Integration Joint Board. In accordance with the Partnership's Standing Orders, the Committee may not delegate powers to a sub-committee or task and finish group unless expressly authorised by the Integration Joint Board.
- 3.4 The Terms of Reference, including the reporting procedures of any sub-committees or task and finish groups must be approved by the Integration Joint Board and reviewed on an annual basis.

4. Membership

- 4.1 Members of the Committee shall be appointed by the Integration Joint Board and shall be made up of least 4 Voting Members of the IJB, drawn equally from NHS Lothian and The City of Edinburgh Council. 2 non-voting IJB members shall be appointed as members of the Committee by the IJB as non-voting members of the Committee.
- 4.2 One of the Voting members will be appointed by the Integration Joint Board as the Chair of the Committee.
- 4.3 A further Voting member of the Committee can assume the role of Chair in the formal absence of the appointed Chair, with the agreement of the Committee members.
- 4.4 The Executive Lead (Service Director - Operations or a designated alternative) shall act as the executive lead for the committee and shall attend all meetings.
- 4.5 The Chair of the Integration Joint Board and the Chief Officer shall not be members of the Committee, but they may be in attendance.



- 4.6 Other than as specified above, only members of the Committee have the right to attend Committee meetings. Other non-Committee members may be invited to attend and assist the Committee from time to time, according to particular items being considered and discussed.
- 4.7 Members and attendees are able to attend Committee meetings in person, by telephone, or by other electronic means. Members in attendance by electronic means will count towards the quorum.
- 4.8 Secretariat support will be provided by named members of the Office of the Chief Officer and CEC Committee Services.
- 4.9 All members of the Committee shall receive training and development support before joining the Committee and on a continuing basis to ensure their effectiveness as members, supported by a performance assessment process, as agreed by the Integration Joint Board.
- 4.10 An attendance record shall be held for each meeting and an annual register of attendance will be included in the annual report of the Committee to the Board.

Quorum

- 4.11 The quorum necessary for the transaction of business shall be four members, as defined in 4.1 above, including the Chair, and at least one other Voting Member.
- 4.12 A duly convened meeting of the Committee at which a quorum is present shall be competent to exercise all or any of the authorities, powers and discretions delegated to the Committee.
- 4.13 If inquorate, the committee may meet informally to discuss reports but is not permitted to make any decisions. Decisions including those based on recommendations in a report must be agreed under quorum.

5. Specific Duties

5.1 Strategy

The Committee will:

- a) inform the strategic priorities and investments needed to support high-quality clinical/care outcomes and improve clinical effectiveness in the Partnership, and advise the Board accordingly;
- b) take account of international intelligence and research evidence on clinical/care safety and practice and distil their relevance to the Partnership's strategic priorities (including where necessary commissioning research to inform its work);

- c) take account of the development and effective use of shared clinical/care intelligence and data with partners to shape the growth of high-quality care and services in the 'place' of Edinburgh and Scotland.

5.2 Risk

The Committee will:

- a) receive regular reports on the high value risks in the Partnership and review the suitability and robustness of risk mitigation plans with regard to their potential impact on patient/citizen outcomes and quality of care;
- b) triangulate and be assured of the robustness of the process of reviewing the trends, themes and patterns emerging from key quality indicators in the Partnership that inform and shape risk assessment, priority-setting and development of fit-for-purpose policies and procedures

5.3 Outcomes and processes

The Committee will:

- a) be assured of the integrity of the Partnership's control systems, processes and procedures relating to critical areas of integration, to include:
 - high quality care (through the Partnership's quality review processes);
 - compliance with fundamental standards of quality and safety;
 - patient/citizen safety and harm reduction;
 - introduction of new clinical pathways and procedures;
 - dissemination and implementation of statutory guidance;
 - escalation and resolution of quality concerns; and
 - seek assurance on patient/citizen and carer involvement and engagement;
- b) ensure the effective operation of processes relating to clinical/care practice and performance, including early detection of issues and problems, escalation, corrective action and learning.

5.4 Learning and communication

The Committee will:

- a) be assured of the effectiveness of systems and processes used for continuous learning, innovation and quality improvement, establishing ways of gaining assurance that appropriate action is being taken;
- b) be assured that the robustness of procedures ensure that adverse incidents, complaints and events are detected, openly investigated, with

lessons learned being promptly applied and appropriately disseminated in the best interests of patients/citizens, of staff and of the Partnership;

- c) review how systematically evidence-based practice, ideas, innovations and statutory and best practice guidance are identified, disseminated and applied within the Partnership;
- d) be assured of the effectiveness of communication, engagement and development activities designed to support patient/citizen safety and improve clinical governance.

5.5 Patient and public engagement

The Committee will:

- a) be assured of the effectiveness of a credible process for assessing, measuring and reporting on the person's experience in a consistent way over time, including the appropriateness and effectiveness of processes for service user's engagement in support of the Partnership's strategic goals and programmes of work.

5.6 Progress and performance reporting

The Committee will:

- a) review a range of evidence and data from multiple sources, including management and executive committees and groups, on which to arrive at informed opinions on:
 - the standards of clinical and service quality in the Partnership;
 - compliance with agreed standards of care and national targets and indicators; and
 - Partnership organisation's quality performance measured against specified standards and targets;
- b) review a succinct set of key performance and progress measures relating to the full purpose and function of the Committee;
- c) review progress against these measures on a regular basis and seek assurance around any performance issues identified, including proposed corrective actions and reporting any significant issues and trends to the Integration Joint Board;
- d) agree the programme of benchmarking activities to inform the understanding of the Committee and its work;



- e) be assured of the credibility of sources of evidence and data used for planning and progress reporting to the Committee and to the Board in relation to the Committee's purpose and function;
- f) ensure alignment of the Board assurances and consistent use of data and intelligence, by working closely with the Audit Committee, Strategic Planning Group, Performance and Delivery Committee, and Futures Committee.

5.7 Statutory and regulatory compliance

- a) The Committee will be assured of the arrangements for ensuring maintenance of the Partnership's compliance standards specified by the Scottish Government Health and Social Care Directorate, Healthcare Improvement Scotland, NHS Scotland, and statutory regulators of health care professionals.

5.8 Cycle of Business

- a) The Committee will set an annual plan for its work to form part of the Board's Annual Cycle of Business, informed by the Board Assurance Framework, and report to the Board on its progress.

6. Reporting and Accountability

- 6.1 The Committee Chair will report formally to the Integration Joint Board on its proceedings after each meeting on all matters within its duties and responsibilities, summarising areas where action or improvement is needed.
- 6.2 The Terms of Reference shall be reviewed by the Committee and approved by the Integration Joint Board on an annual basis.

7. Committee Administration

- 7.1 The Committee shall meet a minimum of four times a year and at such other times as the Chair of the Committee, in consultation with the Committee Secretary, shall require, allowing the Committee to discharge all of its responsibilities.
- 7.2 The Chair may at any time convene additional meetings of the Committee to consider business that requires urgent attention.
- 7.3 The agenda will be set in advance by the Chair, with the Committee Secretary and executive lead, reflecting an Integration cycle of meetings and business, which is agreed each year for the Board and its Committees, to ensure it fulfils its duties and responsibilities in an open and transparent manner.



- 7.4 Notice of each meeting confirming the venue, time and date, together with an agenda of items to be discussed, shall be made available to each member of the Committee, no less than five working days before the date of the meeting in electronic form. Supporting papers shall be made available no later than five working days before the date of the meeting.
- 7.5 Committee papers shall include an outline of their purpose and key points in line with the IJB's Committee protocol, and make clear what actions are expected of the Committee.
- 7.6 The Chair shall establish, at the beginning of each meeting, the existence of any conflicts of interest and ensure these are recorded in the minutes accordingly.
- 7.7 The Committee Secretary shall minute the proceedings of all Committee meetings, including recording the names of those present, in attendance and absent. Draft minutes of Committee meetings shall be made available promptly to all members of the Committee, normally within ten days of the meeting.
- 7.8 The Committee shall, at least once a year, review its own performance, using a process agreed for all Board committees by the Integration Joint Board.

Procedural control statement:

Date approved: February 2020

Approved by: Integration Joint Board

Review date: March 2023

Appendix 1 – Membership

Chair	Richard Williams
Voting	Martin Hill Councillor Robert Aldridge Councillor George Gordon
Non-voting	Jackie Irvine, Chief Social Work Officer Helen Fitzgerald, EHSCP Lead Partnership Representative Jacqui MacRae, Interim Chief Nurse Ian McKay, Medical Director Colin Beck, Co-Chair, Professional Advisory Group (PAG) Allister McKillop, Citizen Representative
Executive Lead	Mike Massaro-Mallinson, Service Director - Operations
Attendees	As required
Committee Secretary	Helen Elder, Office of the Chief Officer Matthew Brass, Committee Services

REPORT

Review of Audit and Assurance Terms of Reference

Audit and Assurance Committee

18 February 2022

Executive Summary

The purpose of this report is to provide an update to Audit and Assurance Committee on the process to review (and update where appropriate) the terms of reference, which is undertaken annually.

Recommendations

It is recommended that the Audit and Assurance Committee:

1. Endorse the terms of reference for the Audit and Assurance Committee and;
2. Refer the revised terms of reference for Audit and Assurance Committee to the Edinburgh Integration Joint Board for approval.

Directions

Direction to City of Edinburgh Council, NHS Lothian or both organisations	No direction required	✓
	Issue a direction to City of Edinburgh Council	
	Issue a direction to NHS Lothian	
	Issue a direction to City of Edinburgh Council & NHS Lothian	

Report Circulation

1. This report has not been circulated to any governance committee prior to submission to Audit and Assurance Committee.

Main Report

2. The terms of reference for all committees were agreed at the Edinburgh Integration Joint Board (EIJB) on 21 July 2020 with all committees expected to review their terms of reference on an annual basis therefore, the annual review for 2022 is now due.



3. This report proposes the following changes to the Audit and Assurance Committee (AAC) terms of reference and is included at appendix 1, which is mainly presentational/using consistent terminology:
 - a. Integration Joint Board has been amended to Edinburgh Integration Joint Board / EIJB throughout the terms of reference;
 - b. Paragraph 1.1 - changed “suitability and efficacy of Partnership...” to suitability and efficacy of the EIJB;
 - c. Paragraph 2.1(d), 5.1.2(a) and 5.1.5(g) - changed “integration” to “integrated”;
 - d. Paragraph 4.5 - changed “Office of the Chief Officer to “Executive Team”;
 - e. Paragraph 4.7 - inclusion of” Due to COVID19, the committee is meeting virtually throughout 2022 and will be reviewed in line with government guidelines” recognising the current meeting arrangements;
 - f. Paragraph 5.1.2(d) - included a reference to the annual assurance statement;
 - g. Paragraph 5.1.2(e) - included a reference to the Records Management Plan acknowledging that the remit for records management has been delegated to the AAC;
 - h. Paragraph 5.1.3 - change from “Executive Directors” to “Chief Officer, Service Director or equivalent”;
 - i. Paragraph 5.1.5(b) - removal of “within the organisation and its subsidiaries” recognising the role of EIJB and lack of subsidiaries
 - j. Paragraph 5.1.5(e) - amended “review registers relating...” to “review registers relating to the registers of interest and code of conduct”;
 - k. Paragraph 6.2 - removed the June meeting acknowledging that all committees agreed their terms of reference at different times;
 - l. Paragraph 6.3 - amend annual report to Committee Assurance Statement;
 - m. Paragraph 6.3(e) - changed “Annual General Meeting” to “be presented to the EIJB and any other forums as appropriate” giving us the flexibility to present at the EIJB or Annual General Meeting when in place;
 - n. Paragraph 7.2 - change “chairman” to “Chair”;
2. The Edinburgh Integration Joint Board (EIJB) has several legislative and regulatory requirements that have been delegated to the Audit and Assurance Committee namely:
 - a. A requirement to have an annual financial statement/annual accounts;
 - b. A requirement to adhere to the audit and accounts regulations and legislation. EIJB Joint Board will produce audited accounts and that the

- external audit will be undertaken by auditors appointed by the Accounts Commission;
- c. A requirement to have an EIJB records management plan;
 - d. A requirement to have an EIJB complaints procedure;
 - e. Ensure arrangements are in place to cover it and its members against any liability claims that arise;
 - f. Ensure adequate resilience arrangements are in place to manage an emergency response as the EIJB is a Category 1 responder; and
 - g. Ensure adequate arrangements are in place to manage data protection and freedom of information requests relating to the EIJB.
3. Most of the requirements were included in the terms of reference, with the exception of the records management plan, the requirement to ensure adequate resilience arrangements, adequate management of data protection and freedom of information requests and they have now been specifically referenced in the revised terms of reference presented to AAC for endorsement. Appendix 2 provides a full list of the regulatory and legislative requirements.

Implications for Edinburgh Integration Joint Board

Financial

4. There are no financial implications arising from this report.

Legal / risk implications

5. This report is requesting approval for a revised set of terms of reference for the Audit and Assurance Committee. The revised terms of reference include a reference to the legislative and regulatory requirements that are in the remit of AAC. This ensures that the EIJB governance arrangements are robust and mitigates any risks arising from non-compliance with legislation or regulatory breaches.

Equality and integrated impact assessment

6. As this is a review of the terms of reference, an equality and integrated impact assessment is not required.

Environment and sustainability impacts

7. Due to COVID-19, it is proposed that Committees continue to be held virtually in line with current government guidelines which will reduce the environmental impact of staff travelling to attend AAC.

Quality of care

8. The review of Committee terms of reference continues to ensure a robust EIJB governance structure.

Consultation

9. The initial terms of reference for the AAC were developed in consultation with EIJB members and the AAC. This annual review is proposing minor changes, mainly relating to ensuring consistency in language.

Report Author

Moira Pringle

Chief Finance Officer

Contact for further information:

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Background Reports

1. None

Appendices

Appendix 1 - Audit and Assurance Terms of Reference

Appendix 2 – List of Legislative and Regulatory Requirements

Edinburgh Integration Joint Board

Audit and Assurance Committee

Terms of Reference

1. Constitution of the Committee

- 1.1 The Audit and Assurance Committee is a statutory Committee established by the Edinburgh Integration Joint Board (EIJB) to monitor, review and report to the Board on the suitability and efficacy of the EIJB's provisions for governance, risk management and internal control.

2. Purpose and function

- 2.1 The purpose and function of the Committee is to:
- a) provide assurance to the EIJB that it is fulfilling all its statutory requirements and all systems are performing as required, with appropriate and consistent escalation of notice and action;
 - b) review and continually re-assess their system of governance, risk management, and control, to ensure that it remains effective and fit for purpose;
 - c) approve and oversee the annual audit programme in respect of the EIJB services;
 - d) develop integrated public reporting of the EIJB as an independent, objective process; and
 - e) ensure that its arrangements for delegation within the EIJB structures promote independent judgement and assist with the balance of power and the effective discharge of duties.

3. Authority

3.1 The Committee is:

- a) a statutory Committee of the EIJB reporting directly to the EIJB and has no executive powers, other than those specifically delegated in these Terms of Reference;
- b) authorised by the Board to investigate any activity within its Terms of Reference, to seek any information it requires from any employee of an organisation within the Partnership, and to invite any employee to provide information by request at a meeting of the Committee to support its work, as and when required, taking due cognisance of their employing organisation's policies and procedures in doing so; and
- c) authorised by the EIJB to require the attendance of individuals and authorities from outside the Partnership with relevant experience and expertise if it considers this necessary for the exercise of its functions, including whatever professional advice it requires (as advised by the Committee Executive Lead and / or office of the Chief Officer).

4. Membership and quorum

Membership

- 4.1 Members of the Committee shall be appointed by the EIJB and shall be made up of 4 voting members of the EIJB, drawn equally from NHS Lothian and the City of Edinburgh Council. 2 non-voting members of the EIJB will also be appointed by the EIJB as non-voting members of the Committee.
- 4.2 One of the voting members will be appointed by the EIJB as the Chair of the Committee. The Chair will be rotated between voting members on a basis agreed by the EIJB to ensure a suitable balance between partner organisations is maintained across the five committees of the EIJB.
- 4.3 A further voting member of the Committee can assume the role of Chair in the formal absence of the appointed Chair, with the agreement of the Committee members.
- 4.4 The Executive Lead (the Chief Finance Officer) or a designated alternative from the Executive Team will be in attendance at all meetings of the committee.
- 4.5 The Chair of the EIJB and the Chief Officer shall not be members of the Committee, but they may be in attendance.
- 4.6 Other than as specified above, only members of the Committee have the right to attend Committee meetings. Other non-Committee members may be invited

to attend and assist the Committee from time to time, according to particular items being considered and discussed.

- 4.7 Members and attendees are able to attend Committee meetings in person, by telephone, or by other electronic means. Members in attendance by electronic means will count towards the quorum. Due to COVID-19, the Committee will continue to meet virtually throughout 2022 in line with current government guidance.
- 4.8 Secretariat support will be provided by a combination of the Office of the Chief Officer and the City of Edinburgh Council Committee Services' team.
- 4.9 All members of the Committee shall receive training and development support before joining the Committee and on a continuing basis to ensure their effectiveness as members, supported by a performance assessment process, as agreed by the EIJB.
- 4.10 An attendance record shall be held for each meeting and an annual register of attendance will be included in the Committee Annual Assurance Schedule presented to the EIJB
- 4.11 The Chief Officer and other members of the Executive Team should be invited to attend as appropriate with an expectation that if invited they should attend in person. In addition, the Chief Officer should be required to attend, at least annually, to discuss the process for assurance that supports the Annual Governance Statement.
- 4.12 External Audit and Internal Audit representatives will meet at least annually and be invited to meet Committee members prior to the formal conduct of the business of the meeting without members of the Executive present.

Quorum

- 4.13 The quorum necessary for the transaction of business shall be 4 members, as defined in 4.1 above.
- 4.14 A duly convened meeting of the Committee at which a quorum is present shall be competent to exercise all or any of the authorities, powers and discretions delegated to the Committee.
- 4.15 If inquorate, the committee may meet informally to discuss reports but is not permitted to make any decisions. Decisions including those based on recommendations in a report must be agreed under quorum.

5. Duties

- 5.1 The Committee will undertake the duties detailed in the NHS Audit Committee Handbook (HFMA latest edition). The Committee will carry out the duties below for the Partnership and major subsidiary undertakings as a whole, as

appropriate. The Committee will set an annual plan for its work to form part of the Board's Annual Cycle of Business, and report to the Board on its progress. The duties of the Committee will include:

5.1.1 Financial reporting

The Committee will:

- a) ensure that the systems for financial reporting to the EIJB, including those of budgetary control, are subject to review as to the completeness and accuracy of the information provided;
- b) ensure the integrity of the Annual Accounts and Financial Statements of the EIJB before submission to the EIJB and any other formal announcements relating to its financial performance, reviewing significant reporting issues and judgements that they contain, and including the meaning and significance of the figures, notes and significant changes; accounting policies and practices followed, and significant changes; explanation of estimates or provisions having material effect; the schedule of losses and special payments and any reservations and disagreements between internal and external auditors, and the Chief Officer / Executive Team, which are not resolved;
- c) review summary financial statements, significant financial returns to regulators and any financial information contained in other official documents, including the Annual Governance Statement;
- d) review the consistency of, and changes to, accounting policies across the EIJB and its subsidiary undertakings including the operation of, and proposed changes to, the Corporate Governance Manual, Standing Orders, Standing Financial Instructions, Scheme of Delegation and Reservation of Powers, Matters Reserved to the Board and Standards of Business Conduct, including maintenance of registers and the Fraud Response Plan;
- e) review the methods used to account for significant or unusual transactions where different approaches are possible (including unadjusted misstatements in the financial statements);
- f) review whether the EIJB has followed appropriate accounting standards and made appropriate estimates and judgements, taking into account the views of the External Auditor;
- g) review the clarity of disclosure in the EIJB's financial reports and the context in which statements are made.

5.1.2 Governance, risk management and internal control

The Committee will review:

- a) the establishment and maintenance of an effective system of integrated governance, risk management and internal control, across the whole of the EIJB's activities (both clinical and non-clinical), that supports the achievement of the EIJB's objectives;
- b) the risk environment of the EIJB to ensure that the governance system is adequately addressing the full range of current, and potential future, risks;
- c) the adequacy of risk and control related disclosure statements, in particular the Annual Governance Statement, together with the Internal Audit Opinion, External Audit Opinion or other appropriate independent assurances, prior to endorsement by the EIJB;
- d) the Board Assurance Framework and associated annual assurance processes that indicate the degree of the achievement of the Board's priorities, the effectiveness of the management of principal risks and the appropriateness of the above disclosure statements;
- e) the policies for ensuring compliance with relevant regulatory (including EIJB records management plan, data protection and freedom of information requests, and resilience arrangements), legal and code of conduct requirements, any related reporting and self-certifications, and work related to counter fraud and security, as required by NHS Scotland Counter Fraud Services;
- f) the policies for managing and investigating complaints and legal claims against the EIJB; and
- g) the Register of Members' Interests; and Register of Gifts and Hospitality on a regular basis, and not less than annually.

5.1.3. Internal audit and counter fraud

The Committee will:

- a) ensure that there is an effective Internal Audit function that meets the *Public Sector Internal Audit Standards* and provides appropriate independent assurance to the Committee, Chief Officer, and EIJB;
- b) consider and approve the Internal Audit Strategy and Annual Plan, and ensure it has adequate resources and access to information, including the Board Assurance Framework, to enable it to perform its function effectively and in accordance with the relevant professional standards. The Committee will also ensure the function has adequate standing and is free from management or other restrictions;

- c) review all reports from the Internal and External Auditors which identify “limited assurance” or “no assurance”;
- d) review and monitor the Executive Management’s responsiveness to the findings and recommendations of audit reports, and ensure coordination between Internal and External Auditors to optimise use of audit resource;
- e) meet the Head of Internal Audit on a formal basis, at least once a year, without the Chief Officer/ Chief Finance Officer or management, to consider issues arising from the internal audit programme and its scope and impact. The Head of Internal Audit will be given the right of direct access to the Chair of the Committee, Chief Officer, EIJB and to the Committee;
- f) assure itself that the EIJB has policies and procedures for all work related to fraud and corruption in line with requirements of NHS Scotland Counter Fraud Services;
- g) assess the effectiveness of Counter Fraud services once every five years through a full process of review; and
- h) monitor the implementation of the policy on standards of business conduct for Chief Officer, Service Directors or equivalent and staff (i.e. Codes of Conduct and Accountability) in order to offer assurance to the EIJB on probity in the conduct of the EIJB’s business.

5.1.4 External audit

The Committee will:

- a) approve the External Auditor’s remuneration and terms of engagement, including fees for audit or non-audit services and the appropriateness of fees, to enable an adequate audit to be conducted;
- b) agree and review the policy regarding the supply of non-audit services by the External Auditor and monitor that service, taking into account relevant ethical guidance;
- c) review and monitor the External Auditors’ independence and objectivity and the effectiveness of the audit process. In particular, the Committee will review the work and findings of the External Auditors and consider the implications and management’s responses to their work;
- d) meet the External Auditor at least once a year, without management being present; to discuss their remit and any issues arising from the audit;
- e) establish with the External Auditors, the nature and scope of the audit, as set out in the annual plan before the audit commences; and

- f) review all External Audit reports, including the report to those charged with governance (before its submission to the EIJB) and any work undertaken outside the annual audit plan, together with the appropriateness of management responses.

5.1.5 Other board assurance functions

The Committee will:

- a) review the findings of other significant assurance functions, both internal and external, and consider the implications for the governance of the EIJB. These will include, but not be limited to, any reviews undertaken by Audit Scotland, Health and Social Care Regulators, and professional bodies with responsibility for the performance of staff or functions;
- b) review the work of other EIJB Committees whose work can provide relevant assurance to the Audit and Assurance Committee's own scope of work and in relation to matters of quality affecting the Board Assurance Framework, including the Clinical and Care Quality Committee, the Performance and Delivery Committee, Strategic Planning Group and Futures Committee;
- c) ensure there is no duplication of effort between the Committees, and that no area of assurance is missed as part of its responsibility for reviewing the Annual Governance Statement prior to submission to the EIJB;
- d) receive details of Single Tender Waivers, as approved by the Chief Officer;
- e) review registers relating to the registers of interest and code of conduct;
- f) review every decision by the EIJB to suspend their respective Standing Orders; and
- g) in fulfilling its responsibilities, the Committee will primarily utilise the work of Internal Audit, External Audit and other assurance functions, but will not be limited to these sources. It will also seek reports and assurances from Chief Officer, Service Directors or equivalent and managers as appropriate, concentrating on the overarching systems of Integrated governance, risk management and internal control, together with indicators of their effectiveness.

6. Reporting and accountability

- 6.1 The Committee Chair will raise any concerns to the next meeting of the EIJB. A committee update report is also presented to every meeting of the EIJB providing an overview of the committee business.

- 6.2 The Terms of Reference shall be reviewed by the Committee and approved by the EIJB on an annual basis.
- 6.3 The Committee will report to the EIJB annually on its work in support of the Annual Governance Statement. The Board Assurance Report Annual Report will:
- a) set out clearly how the committee is discharging its responsibilities;
 - b) include a statement referring to any non-audit services provided by the external auditors, and if so, how auditor objectivity and independence is safeguarded;
 - c) provide explanatory details, where during the year the External Auditor's contract is terminated in disputed circumstances, on the removal process and the underlying reasons for removal;
 - d) be signed by the Chair of the Audit Committee; and
 - e) be presented to the EIJB and any other forums as appropriate, with the Chair of the Audit Committee in attendance to respond to any stakeholder questions on the Committee's activities.

7. Committee administration

- 7.1 The Committee will meet a minimum of four times a year and at such other times as the Chair of the Committee, in consultation with the Committee Secretary, will require allowing the Committee to discharge all its responsibilities.
- 7.2 The Chair may at any time convene additional meetings of the Committee to consider business that requires urgent attention.
- 7.3 The agenda will be set in advance by the Chair, with the Committee Secretary and Executive Lead, reflecting an integrated cycle of meetings and business, which is agreed each year for the EIJB and its Committees, to ensure it fulfils its duties and responsibilities in an open and transparent manner.
- 7.4 Notice of each meeting confirming the venue, time and date, together with an agenda of items to be discussed, will be made available to each member of the Committee, no less than five working days before the date of the meeting in electronic form. Supporting papers will be made available no later than five working days before the date of the meeting.
- 7.5 Committee papers will include an outline of their purpose and key points in line with the EIJB's committee protocol, and make clear what actions are expected of the Committee.

- 7.6 The Chair will establish, at the beginning of each meeting, the existence of any conflicts of interest and ensure these are recorded in the minutes accordingly.
- 7.7 The Committee Secretary will minute the proceedings of all Committee meetings, including recording the names of those present, in attendance and absent. Draft minutes of Committee meetings will be made available promptly to all members of the Committee, normally within ten working days of the meeting.
- 7.8 The Committee will, at least once a year, review its own performance, using a process agreed for all Committees by the EIJB.

Procedural control statement:

Date approved: February 2022

Approved by: Audit and Assurance Committee

Review date: February 2023

Appendix 1 – Membership

Chair	Councillor Phil Doggart
Voting members	Vacant Peter Murray Councillor George Gordon
Non-voting members	Kirsten Hey Grant Macrae
Executive Lead	Moira Pringle, Chief Finance Officer
Attendees	Lesley Newdall - Chief Internal Auditor Nick Bennett – Chief External Auditor Angela Ritchie – Operations Manager
Committee Secretary	Helen Elder Matthew Brass

REPORT

Future Programme for the Futures Committee

Futures Committee

31 March 2022

Executive Summary

The purpose of this report is to assess the options for the future programme of the Futures Committee.

Recommendations

It is recommended that the Futures Committee agrees:

1. To move from a formal committee model to a single planning event held annually.
2. To refer this proposal to the EIJB for a decision.

Directions

Direction to City of Edinburgh Council, NHS Lothian or both organisations		
	No direction required	✓
	Issue a direction to City of Edinburgh Council	
	Issue a direction to NHS Lothian	
	Issue a direction to City of Edinburgh Council and NHS Lothian	

Main Report

1. In December 2018 the Edinburgh Integration Joint Board (EIJB) accepted all 18 recommendations made by the review of EIJB governance conducted by the Good Governance Institute (GGI). As part of proposed governance architecture, the GGI recommended the establishment of a Futures Committee.
2. The purpose and function of the Futures Committee, as set out in the revised Terms of Reference (ToRs), are to:
 - a. Provide strategic focus and stimulus on long-term issues relevant to the vision and purpose of the EIJB.
 - b. Evaluate assurance to the EIJB about the strategic approach to capacity

building, community development, integration, wellbeing, technology, sustainability, consultation and engagement.

- c. Provide protected time and space for consideration of the core narratives for change and transformation on behalf of the EIJB.
3. Since its inception, it has been a challenge to optimise the full potential of the Futures Committee due in the main, to a lack of focused resource available in the Edinburgh Health and Social Care Partnership (EHSCP).
 4. Towards the end of 2021, the EIJB took the decision to temporarily suspend committees due to systems pressures related to COVID and winter. Recent discussions with the Chief Officer, Chair of the Futures Committee and the Service Director Strategic Planning deemed there is an opportunity to reassess the operating model for the Futures Committee.
 5. Three options are considered:
 - a. No Change. To retain 4 to 5 scheduled committees throughout the financial year and run as a full EIJB committee.
 - Pros:
 - Retains the EIJB governance architecture in line with the agreed GGI recommendations.
 - Cons:
 - A lack of resource to support the Futures Committee has been identified as the key issue in the ability of the Futures committee to function. Changes in the organisational structure of the EHSCP is not expected to address this shortfall in the short term (next 18 months).
 - b. Remove Completely. Remove the Futures Committee completely from the EIJB governance architecture.
 - Pros:
 - Reduces the number of EIJB committees thus freeing up EHSCP and Council Committee Services resource.
 - Cons:
 - Removes the formal and routine EIJB approach to considering longer term strategic trends in accordance with ToRs. Albeit, this responsibility could shift to the Strategic Planning Group (SPG).
 - Requires formal agreement by the EIJB.
 - c. Annual Event. To move to an annual planning event to which all EIJB members are invited. Based on a structured programme running over a working day which does not require support from Council Committee Services.



- Pros:
 - Reduces the number of EIJB committees thus freeing up EHSCP and Council Committee Services resource.
 - Brings in all EIJB members with scope to invite external subject matter experts.
 - A more inclusive approach designed to inform EIJB members of long-term strategic trends and opportunities.
 - Maintains the principle of formal EIJB approach to considering longer term strategic trends.
- Cons:
 - Requires formal agreement by the EIJB.
 - Will require pre-work from EHSCP officers to prepare an agreed programme to ensure maximum benefit from the event.
- Variation. A variation on this option is to hold such an event twice a year. The committee may wish to consider the cost versus benefit of adding an additional session on a six monthly basis.

6. The **recommendation is to move to an annual event** and to refer this to the EIJB for a formal decision.

Implications for EIJB

Financial

3. None.

Legal / risk implications

4. None.

Equality and integrated impact assessment

5. None.

Environment and sustainability impacts

6. None.

Quality of Care

7. None.

Consultation

8. There have been discussions between the Chair of the Futures Committee, the Chief Officer the Service Director Strategic Planning.

Report Author

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Service Director – Strategic Planning

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Edinburgh Integration Joint Board Legislative and Regulation Requirements				
Legislation	Legislative and / or regulation statements	Frequency of Review	Next due date	Reporting Structure
<u>Public Bodies Scotland Act 2014</u> <ul style="list-style-type: none"> • Section 29 • Section 25 • Section 28 • Section 30 - 29 • Section 50 - 61 	Develop a Strategic Plan for Integrated Functions & budgets The integration authority for the area of a local authority must prepare strategic plans in accordance with this section” (2)A strategic plan is a document - (a)setting out the arrangements for the carrying out of the integration functions for the area of the local authority over the period of the plan; (b)setting out how those arrangements are intended to achieve, or contribute to achieving, the national health and wellbeing outcomes, and;(c)including such other material as the integration authority thinks fit.	N/A		Strategic Planning Group
<u>Public Bodies Scotland Act 2014</u> <ul style="list-style-type: none"> • Section 37 	Review the Strategic Plan S37 - The Integration authority – (a)must before the expiry of the relevant period review the effectiveness of its strategic plan and; (b)may from time to time carry out such a review. In carrying out a review under subsection (1), the integration authority must - (a) have regard to - (i) the integration delivery principles, and (ii) the national health and wellbeing outcomes	Every three years	March 2023	Strategic Planning Group
<u>Public Bodies Scotland Act 2014</u> <ul style="list-style-type: none"> • Section 32 	Establishment of strategic planning group S32 - (1) Before preparing its first strategic plan, an integration authority in relation to the area of a local authority is to establish a group (its “strategic planning group”) comprising - (a)where the integration authority is an integration joint board - (i)at least one person nominated by the Health Board which is a constituent authority in relation to the integration joint board; (ii)where one local authority is a constituent authority in relation to the integration joint board, at least one person nominated by the local authority one person in respect of each of the groups mentioned in subsection (2), being a person who the integration authority considers to be representative of that group. The groups referred to in subsection (1)(d) are such groups of persons appearing to the Scottish Ministers to have an interest as may be prescribed.	Annually as part of terms of reference review	April 2022	Edinburgh Integration Joint Board

<p><u>Public Bodies Scotland Act 2014</u></p> <ul style="list-style-type: none"> • Sections 1- 24 • Section 44 -48 	<p>EIJB Integration Scheme See https://www.legislation.gov.uk/asp/2014/9/contents, includes integration schemes, implementation of integration schemes & review of integration scheme</p> <p>NB: The Integration Scheme is the responsibility of NHS Lothian and City of Edinburgh Council.</p>	Every five years (or when there has been a change in legislation)	March 2022	Edinburgh Integration Joint Board
<p><u>Public Bodies Scotland Act 2014</u></p> <ul style="list-style-type: none"> • Section 42 	<p>Annual Performance Report S42 - Each integration authority must prepare a performance report for the reporting year. (2) A performance report is a report setting out an assessment of performance during the reporting year to which it relates in planning and carrying out the integration functions for the area of the local authority</p>	Annually	August 2022	Performance and Delivery Committee
<p><u>Public Bodies Scotland Act 2014</u></p> <ul style="list-style-type: none"> • Section 39 	<p>Annual Financial Statement S39 - Each integration authority must publish an annual financial statement - (a) when it publishes its first strategic plan, and (b) each year after that. (2) An annual financial statement must set out in relation to the strategic plan to which it relates the amount that the integration authority intends to spend in implementation of the plan."</p>	Annually	Sept 2022	Edinburgh Integration Joint Board
<p><u>Public Bodies Scotland Act 2014</u></p> <ul style="list-style-type: none"> • Section 26 • Section 27 • Section 52 	<p>Directions S26 - Where the integration authority is an integration joint board, it must give a direction to a constituent authority to carry out each function delegated to the integration authority." "The Scottish Ministers may give directions to an integration joint board in relation to the carrying out of - (a) functions conferred on it by this Act, (b) functions delegated to it in pursuance of an integration scheme.</p> <p>S27 - A direction under section 26 - (a) must, where provision of the type mentioned in section 1(3)(d) is included in the integration scheme in relation to the function to which the direction relates, set out the amount which has been set aside by the Health Board for the use of the person who is to carry out the function; (b) must, in any other case, set out</p>	Annually	April 2022	Edinburgh Integration Joint Board – responsible for setting the directions Performance and Delivery Committee – responsible of monitoring of directions

	S52 - The Scottish Ministers may give directions to an integration joint board in relation to the carrying out of - (a) functions conferred on it by this Act, (b) functions delegated to it in pursuance of an integration scheme.			
<u>Scottish Public Services Ombudsman Act 2002</u> <ul style="list-style-type: none"> • Section 16b • Section 16ba <u>Public Bodies Scotland Act 2014</u> <ul style="list-style-type: none"> • Section 53 	Complaints Procedure S16b & 16ba - The Ombudsman may publish model complaints handling procedures for listed authorities. (2)A model complaints handling procedure (referred to in this Act as a “model CHP”) must comply with the statement of principles. (3)The Ombudsman may publish different model CHPs for different purposes. (4) Before publishing a model CHP the Ombudsman must consult such listed authorities or groups of listed authorities as the Ombudsman thinks fit. (5)The Ombudsman may from time to time revise and re-publish any model CHP; and in doing so subsection (4) applies.(6)Where a model CHP is revised and re-published by virtue of subsection (5), section 16C has effect with the following modifications - (a)any specification under subsection (1) of that section in relation to the model CHP continues in effect as a specification in relation to the revised and re-published model CHP, (b)any other reference to a model CHP is to the model CHP as revised and re-published,(c)subsection (3) of that section is omitted.(7)The Ombudsman may withdraw any model CHP at any time; and any specification under section 16C(1) in relation the model CHP ceases to have effect. S53 - A person mentioned in subsection (2) must have regard to any guidance issued by the Scottish Ministers about its functions under or in relation to this Act. (2) Those persons are; (a)a local authority; (b)a Health Board; (c)an integration joint board; (d)an integration joint monitoring committee. S53 - A person mentioned in subsection (2) must have regard to any guidance issued by the Scottish Ministers about its functions under or in relation to this Act. (2)Those persons are - (a)a local authority, (b)a Health Board, (c)an integration joint board,(d)an integration joint monitoring committee.	Annually as part of a summary governance report (or where there has been an update to the CHP)	June 2022	Audit & Assurance Committee
<u>Public Bodies Scotland Act 2014</u> <ul style="list-style-type: none"> • Section 12 	Membership of the Board	As required.		Edinburgh Integration Joint Board

<p><u>Public Bodies (Joint Working) (Integration Joint Boards) (Scotland) Order 2014</u></p> <ul style="list-style-type: none">• Section 3• Section 1 - 19	<p>S12 - The Scottish Ministers may by order make provision - (a) about the membership of integration joint boards, (b) about the proceedings of integration joint boards</p> <p>S3 - When an integration joint board is established it must include the following members - (a)the number of councillors determined in accordance with paragraph (3) nominated by the local authority; (b)the number of persons determined in accordance with paragraph (3) nominated by the Health Board; (c)the chief social work officer of the local authority;(d)the chief officer of the integration joint board;</p> <p>S1-19 - Management of EIJB Board Membership, including appointments to the EIJB, term of office, resignation disqualification and resignation.</p>			
<p><u>The Local Government (Scotland) Act 1973</u></p> <ul style="list-style-type: none">• Section 106	<p>External Audit</p> <p>S106 - The foregoing provisions of this Part of this Act and any regulations made by the Secretary of State under section 105 of this Act shall, subject to any necessary modifications, apply with respect to the following bodies, that is to say - (a)any committee, joint committee or joint board all the members of which, other than any ex officio members, are appointed by one or more local authorities</p> <p>S106 - Where an officer of a body whose accounts are required to be audited in accordance with this Part of this Act receives any money or other property on behalf of that body, or receives any money or other property for which he ought to account to that body, the accounts of that officer shall be audited by the auditor of the accounts of the body, and sections 96 to 105 of this Act and any regulations made by the Secretary of State under section 105 of this Act shall, subject to any necessary modifications, apply accordingly to those accounts and that audit.</p>	Annually	Sept 2022	Audit and Assurance Committee
<p><u>The Local Government (Scotland) Act 1973</u></p> <ul style="list-style-type: none">• Section 106 <p><u>Local Authority Accounts (Scotland) Regulations 2014</u></p>	<p>Internal Audit</p> <p>S106 - The foregoing provisions of this Part of this Act and any regulations made by the Secretary of State under section 105 of this Act shall, subject to any necessary modifications, apply with respect to the following bodies, that is to say - (a)any</p>	Quarterly	April 2022 June 2022 Sept 2022 Nov 2022	Audit and Assurance Committee

<ul style="list-style-type: none"> • Section 7 <p><u>Public Bodies Scotland Act 2014 –</u></p> <ul style="list-style-type: none"> • Section 13 	<p>committee, joint committee or joint board all the members of which, other than any ex officio members, are appointed by one or more local authorities</p> <p>S106 - Where an officer of a body whose accounts are required to be audited in accordance with this Part of this Act receives any money or other property on behalf of that body, or receives any money or other property for which he ought to account to that body, the accounts of that officer shall be audited by the auditor of the accounts of the body, and sections 96 to 105 of this Act and any regulations made by the Secretary of State under section 105 of this Act shall, subject to any necessary modifications, apply accordingly to those accounts and that audit.</p> <p>S7 - A local authority must operate a professional and objective internal auditing service in accordance with recognised standards and practices in relation to internal auditing.” The Integrated Joint Board is required to comply with section 7.</p> <p>S13 - In section 106 of the Local Government (Scotland) Act 1973 (application of Part 7 of Act to bodies other than local authorities etc.) - (a) in subsection (1), after paragraph (ba) insert - “(bb) an integration joint board established by order under section 9 of the Public Bodies (Joint Working) (Scotland) Act 2014 (but subject to subsection (1A)),” and</p>			
<p><u>Public Records (Scotland) Act 2011</u></p> <ul style="list-style-type: none"> • Section 1(a) 	<p>Records Management Plan</p> <p>S1(a) - Every authority to which this Part applies must - (a)prepare a plan (a “records management plan”) setting out proper arrangements for the management of the authority's public records;(b)submit the plan to the Keeper for agreement, and; (c)ensure that its public records are managed in accordance with the plan as agreed with the Keeper. An authority's records management plan must - (a)identify - (i)the individual who is responsible for management of the authority's public records, and (ii)(if different) the individual who is responsible for ensuring compliance with the plan, and (b)include, in particular, provision about - (i)the procedures to be followed in managing the authority's public records, (ii)maintaining the security of information contained in the authority's public records, and (iii)the archiving and destruction or other disposal of the authority's public records.</p>	Every six months	April 2022 Sept 2022	Audit and Assurance Committee

<p>Freedom of Information (Scotland) Act 2002</p> <ul style="list-style-type: none"> • Section 1 • Section 23 & 24 • Section 15 & S44 <p>Environmental Information (Scotland) Regulations 2004</p> <ul style="list-style-type: none"> • Section 2 	<p>Freedom of Information and Environment Information Regulations</p> <p>S1 - A person who requests information from a Scottish public authority which holds it is entitled to be given it by the authority.</p> <p>S15 - Integration Joint Boards are also required to respond to information requests appropriately.</p> <p>Publication Scheme</p> <p>S23 & 24 - Requires the Integration Joint Board, as a public authority, to adopt, develop, publish, review and maintain a publication scheme which sets out the classes of information the IJB routinely makes available, their manner of publication, and whether they are intended to be provided to the public free of charge or on payment.</p> <p>S15 & S44 - IJBs are also responsible of abiding under the Code of Practice (issued under section 60 or 61) in regard to its recommended guidance on how to handle information requests. - The Integration Joint Board is responsible for answering any data access requests that relate to data for which it is responsible.</p> <p>S2 - “environmental information” has the same meaning as in Article 2(1) of the Directive, namely any information in written, visual, aural, electronic or any other material form on - (the state of the elements of the environment, such as air and atmosphere, water, soil, land, landscape and natural sites including wetlands, coastal and marine areas, biological diversity and its components, including genetically modified organisms, and the interaction among these elements;(b)factors, such as substances, energy, noise, radiation or waste, including radioactive waste, emissions, discharges and other releases into the environment, affecting or likely to affect the elements of the environment referred to in paragraph (a);(c)measures (including administrative measures), such as policies, legislation, plans, programmes, environmental agreements, and activities affecting or likely to affect the elements and factors referred to in paragraphs (a) and (b) as well as measures or activities designed to protect those elements;(d)reports on the implementation of environmental legislation;(e) costs benefit and other economic</p>	<p>Annually as part of a summary governance report.</p>	<p>June 2022</p>	<p>Audit & Assurance Committee</p>
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	analyses and assumptions used within the framework of the measures and activities referred to in paragraph (c); and (f) the state of human health and safety, including the contamination of the food chain, where relevant, conditions of human life, cultural sites and built structures inasmuch as they are or may be affected by the state of the elements of the environment referred to in paragraph (a) or, through those elements, by any of the matters referred to in paragraphs (b) and (c).			
Data Protection Act 2018 (DPA) , / Public Bodies Scotland Act 2014 <ul style="list-style-type: none"> • Section 49 	<p>Data Protection Act 2018 This Act makes provision about the processing of personal data.(2)Most processing of personal data is subject to the GDPR.(3)Part 2 supplements the GDPR (see Chapter 2) and applies a broadly equivalent regime to certain types of processing to which the GDPR does not apply (see Chapter 3).(4)Part 3 makes provision about the processing of personal data by competent authorities for law enforcement purposes and implements the Law Enforcement Directive. (5)Part 4 makes provision about the processing of personal data by the intelligence services. (6) Part 5 makes provision about the Information Commissioner. (7) Part 6 makes provision about the enforcement of the data protection legislation. (8)Part 7 makes supplementary provision, including provision about the application of this Act to the Crown and to Parliament.</p> <p>S49 - Information Sharing There a local authority and a Health Board are jointly preparing an integration scheme, each of them may disclose information to the other for or in relation to the purpose of preparing the scheme: person mentioned in subsection (4) may disclose information to any other person mentioned in that subsection for or in relation to either of the purposes mentioned in subsection (5).(4)The persons are - (a)a local authority, (b)a Health Board, (c)an integration joint board. (5)The purposes are - (a)the carrying out of integration functions, (b)the preparation of a strategic plan.</p>	Annually as part of a summary governance report.	June 2022	Audit & Assurance Committee
Ethical Standards in Public Life (Scotland) Act 2000 <ul style="list-style-type: none"> • Section 3 • Section 4 	<p>Code of Conduct S3 - Each devolved public body shall, within the stipulated time limit, submit to Ministers a draft of a code of conduct for its members (a “draft members’ code”).</p>	As required.		Edinburgh Integration Joint Board

	S4 - A devolved public body - (a)may; and (b)on being so required by Ministers and within such time as they direct, shall, submit to them a draft revisal or re-issue of the members' code.			
Equality Act 2010	<p>An authority to which this section applies must, when making decisions of a strategic nature about how to exercise its functions, have due regard to the desirability of exercising them in a way that is designed to reduce the inequalities of outcome which result from socio-economic disadvantage.</p> <p>S149 - Public Sector Equality Duty - A public authority must, in the exercise of its functions, have due regard to the need to - (a)eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act; (b)advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; (c)foster good relations between persons who share a relevant protected characteristic and persons who do not share it.</p>	As required.		Performance and Delivery Committee
The National Health Service (Clinical Negligence and Other Risks Indemnity Scheme) (Scotland) Amendment Regulations 2000	<p>Liability Insurance <i>Integration Joint Boards are eligible to join the Clinical Negligence and Other Risks Indemnity Scheme (CNORIS) which covers the following areas of liability: Clinical Negligence, Employers Liability Public Liability, Personal Injury, Loss, Damage to Property or other Wrongful Act, Dishonest, Fraudulent, Criminal or Malicious Activities, Defamation, Directors and Officers Liability Consequential or Ancillary Expense, Financial Loss Suffered by Member as a result Fraud/Dishonesty/Theft. The National Health Service (Clinical Negligence and Other Risks Indemnity Scheme) (Scotland) Amendment Regulations 2000 makes provision for Integration Joint Boards to apply to become a member of CNORIS.</i></p>	Annually as part of a summary governance report.	June 2022	Audit and Assurance Committee
Climate Change (Scotland) Act 2009 <ul style="list-style-type: none"> Section 44 	S44 - A public body must, in exercising its functions, act - (a)in the way best calculated to contribute to the delivery of the targets set in or under Part 1 of this Act; (b)in the way best calculated to help deliver any programme laid before the Scottish Parliament under section 53; (c)in a way that it considers is most sustainable.	Annually.	Sept 2022	Edinburgh Integration Joint Board

<p>Civil Contingencies Act 2004</p> <p>Civil Contingencies Act 2004 (Contingency Planning) (Scotland) Regulations 2005</p>	<p>A person or body listed in [F1Part 1, 2 or 2A of Schedule 1] shall - (a)from time to time assess the risk of an emergency occurring, (b)from time to time assess the risk of an emergency making it necessary or expedient for the person or body to perform any of his or its functions,(c)maintain plans for the purpose of ensuring, so far as is reasonably practicable, that if an emergency occurs the person or body is able to continue to perform his or its functions, (d)maintain plans for the purpose of ensuring that if an emergency occurs or is likely to occur the person or body is able to perform his or its functions so far as necessary or desirable for the purpose of - (i)preventing the emergency, (ii)reducing, controlling or mitigating its effects, or (iii)taking other action in connection with it, (e)consider whether an assessment carried out under paragraph (a) or (b) makes it necessary or expedient for the person or body to add to or modify plans maintained under paragraph (c) or (d), (f)arrange for the publication of all or part of assessments made and plans maintained under paragraphs (a) to (d) in so far as publication is necessary or desirable for the purpose of - (i)preventing an emergency,(ii)reducing, controlling or mitigating the effects of an emergency, or (iii)enabling other action to be taken in connection with an emergency, and (g)maintain arrangements to warn the public, and to provide information and advice to the public, if an emergency is likely to occur or has occurred.</p> <p>CCA Regulations - These Regulations relate to the extent of the duties imposed on certain bodies (referred to as “Scottish Category 1 responders”) listed in Part 2 of Schedule 1 to the Civil Contingencies Act 2004 (“the Act”) under sections 2 and 4 of that Act (duties to assess, and plan for emergencies and duties to provide advice and assistance to business) and the manner in which those duties are to be performed.</p>	<p>Annually as part of a summary governance report.</p>	<p>June 2022</p>	<p>Audit & Assurance Committee</p>
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