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IJB Chief Officers
Health Board Chief Executives
Local Authority Chief Executives

19 August 2021

Dear IJB Chief Officers,
Health Board Chief Executives,
Local Authority Chief Executives,

Review and revision of Integration Schemes

We recently wrote to IJB Chief Officers, asking for updates on Integration Scheme reviews and the creation of revised Schemes.

I would like to thank Chief Officers and their colleagues for taking the time to respond to this request and for all the work that has gone into the various reviews that have recently and are currently taking place. I would also like to thank the areas who have already prepared and submitted a revised Integration Scheme for approval. I am particularly grateful given the significant pressures you all face as we continue to respond and recover from COVID-19.

In light of some of the responses received, I wanted to write to provide an update on the Scottish Government's expectations for the Integration Scheme review and revision process and to ensure understanding across all three partners: IJBs, Health Boards and Local Authorities.

We will be making contact with individual areas directly to have more focussed discussions and to answer specific questions that were raised, but we feel it would be useful to cover the following points with all areas and partners. I would also encourage you to always seek advice from your own legal teams to ensure that your Integration Scheme review and revision processes adhere to the requirements of the Public Bodies (Joint Working) (Scotland) Act 2014.

1. Requirements to review and revise an Integration Scheme

It has been made clear in previous advice to IJB Chief Officers in March 2020 and March 2021 (attached separately) that whilst the 2014 Act does not require Health Boards and Local Authorities to prepare a revised Integration Scheme it does require them to carry out a review and then prepare a revised Scheme if desirable or necessary. This was why we



advised that reviews could be carried out to fulfil the legislative requirements of the 2014 Act with any consequent work being carried out at a later date. This advice was to reflect the tremendous pressures that health and social care services have been under as we have responded to COVID-19, which made it extremely difficult to prioritise this work.

Whilst we still face pressures as we continue to respond and recover from the pandemic, **it is now essential that this further work identified in these reviews is started, or continued, at pace**, whether that means carrying out a further, more comprehensive review and/or preparing a revised Integration Scheme. Whilst amendments to Integration Schemes were made in 2017/18 to reflect the implementation of the Carers (Scotland) Act 2016, many of the Schemes in place have not been comprehensively reviewed with a full consultation since they were first approved in 2015. Reviews need to take place to ensure that Integration Schemes reflect any changes that have occurred since they were last approved and to ensure that stakeholders are involved in determining the arrangements of integrated health and social care services for their areas.

Unless you have recently submitted a revised Integration Scheme for approval or a comprehensive review with a consultation has been carried out since 2015 (and so a review is not due within the next year), **I would ask that each area provide us with a timeline for when they plan to carry out their Integration Scheme reviews, consultations and revisions.** This will allow us to keep track of local plans and progress and will ensure we can provide the necessary support where required. Timelines can be provided to the Scottish Government via Jack.Walker@gov.scot and Jenny.Nolan@gov.scot. I appreciate that some initial work may need to be undertaken before these timelines can be produced, but I would ask that you make every effort to provide them by the end of September 2021.

2. Requirements to consult

The 2014 Act sets out the requirements for carrying out consultations when reviewing and revising Integration Schemes. The views of consultees must always be sought on whether changes to the Integration Scheme are necessary or desirable as well as on any proposed changes, even if changes are not initially deemed necessary. These views must be taken into account along with any other issues consultees wish to raise. Your own legal advisors will no doubt be able to provide you with more detailed advice on these requirements.

It is essential that stakeholders are always given the opportunity to provide feedback on *any* issues they wish to raise with regards to the Integration Scheme and not just the proposed changes. This is to ensure that integrated services can be planned and led locally in a way which is engaged with the community, as per the integration planning and delivery principles. This also ensures that the review and revision of an Integration Scheme is not solely led by the small number of people involved in the IJB, Health Board and Local Authority but rather by the population that will be affected by the Schemes.

The prescribed stakeholders who must be consulted are set out in [The Public Bodies \(Joint Working\) \(Prescribed Consultees\) \(Scotland\) Regulations 2014](#), with detailed guidance on community engagement and participation for NHS Boards, IJBs and Local Authorities being found in [Planning with People](#).

3. Defining a revised Integration Scheme

If, following a review and consultation, *any* changes to the Integration Scheme are needed or desirable then a revised Integration Scheme must be formally prepared, consulted on and submitted to Scottish Ministers for approval. This includes changes considered to be 'minor'

or 'technical', including changes to tense and tone. Once a revised Scheme has been prepared and consulted on, it can be submitted to Scottish Ministers for approval via Jack.Walker@gov.scot and Jenny.Nolan@gov.scot. Before submitting the revised Scheme for approval, I would encourage you to always seek advice from your own legal teams on the content of the Scheme to ensure it fulfils the requirements of the 2014 Act.

If no changes are identified within your Integration Scheme then confirmation of the completed review, including relevant consultation, should be forwarded to the Scottish Government for our records via the contacts listed above.

4. Implications of the National Care Service (NCS) and wider reform of social care

Understandably questions have been raised regarding the need to review and revise Integration Schemes given the consultation that has now been published on the establishment of a NCS and potential reform of social care and integrated services. At this stage, we envisage the arrangements for the NCS being in place by the end of this Parliamentary term; equivalent to a full lifetime for an Integration Scheme. It is essential therefore that work begins, or continues, at pace to review and revise Integration Schemes as quickly as practicable. As above, this is not just to adhere to legislative requirements, but also to ensure that where needed, Integration Schemes are updated to reflect the inevitable changes that have occurred since they were last approved and to reflect the changes to the population's needs and preferences.

I hope these points are helpful and offer further clarity on the process that the legislation sets out. As noted above, we will be making contact with individual areas in the near future but, should you have any questions in the meantime, please do get in touch.

With Kind Regards,



Donna Bell