





Meeting of East Renfrewshire Health and Social Care Partnership	Performance and Audit Committee
Held on	27 June 2018
Agenda Item	6
Title	Audit on IJB Code of Governance

Summary

This provides the Integration Joint Board with the report on the audit of IJB Governance, which was carried out as part of the 2017/18 audit plan.

Presented by	Lesley Bairden, Head of Finance and Resources (Chief Financial Officer)
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Action Required

The performance and Audit Committee is asked to:

- Note the audit report
- Approve the IJB Code of Governance



REPORT ON AUDIT OF IJB GOVERNANCE

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Chief Auditor MB/1046/RM 22 June 2018



REPORT ON AUDIT OF IJB GOVERNANCE

1. <u>INTRODUCTION</u>

As part of the 2017/18 audit plan, a review of the Integration Joint Board (IJB) governance was carried out.

This is the first time that Internal Audit have reviewed this as a specific audit. The risk of the governance framework not being compliant with relevant codes of guidance is that policies, aims and objectives will not be achieved and reasonable assurance will not be provided that risk is being effectively managed.

Seven principles of good governance in partnerships have been established as part of "Delivering Good Governance in Local Government – Guidance Notes for Scottish Authorities 2016 Edition" however these are voluminous and it was agreed with the Chief Financial Officer of the IJB that initially it would be more useful and relevant to assess governance of the IJB against the relevant integration scheme requirements.

2. SCOPE

The scope of the audit includes the following:

- The requirements relating to governance as specified in the integration scheme are being met.
- A code of governance covering IJB is established by Audit drawing together all relevant elements. (see Appendix)
- Supporting documentation demonstrating compliance with the code of governance is up to date and has been published in accordance with the publication scheme.
- Requirements relating to governance stipulated in documents underpinning the code are being complied with.
- Annual review of governance arrangements is in place.
- Information sharing arrangements with NHS Greater Glasgow & Clyde have been established.

3. GENERAL CONCLUSION

While the IJB is fully compliant in most areas as delineated in the Integration Scheme, there are two where there is partial compliance. Under the workforce heading, the Workforce and Development Plan or Organisational Development Strategy have not been completed as stipulated in the scheme. The representation on the Clinical and Care Governance Committee is not complete in terms of the various areas which the scheme requires to be represented. While there are declarations of interest and code of conduct undertakings procedures in place, the latter has not yet been signed by all IJB members. Not all documents which have been compiled in relation to the IJB comply with records management good practice as approved by the Keeper of the Records of Scotland.

4. FINDINGS AND RECOMMENDATIONS

4.1 Sharing of NHS Audit reports

The internal auditors of NHS Greater Glasgow & Clyde Health Board do not share copies of individual internal audit reports with the East Renfrewshire IJB or attend meetings of the IJB's Performance and Audit Committee. The consequent risk is that officers and members of the Board may be unable to properly discharge their scrutiny and governance responsibilities. The contract for provision of this service is shortly to be renewed and it is understood that the tender specification will require the contractor to give assurances to the IJB chief internal auditor where

their work is of relevance to the IJB. This however is similar to the arrangement currently in place with the outgoing auditor.

Recommendation

4.1.1 The IJB should develop a protocol with the auditors to ensure all internal audit reports that affect the IJB are made available to its performance and audit committee.

Action: Chief Officer, IJB

4.2 Workforce & Development Plan and Organisational Development Strategy

The Integration Scheme states that the Council and Health Board will develop, put in place and keep under review a joint Workforce and Development Plan which will address learning and development of staff. An Organisational Development Strategy will also be put in place addressing staff engagement and governance. Both the Plan and the Strategy were to be in place by April 2016. Neither of these documents is currently in place.

Recommendation

4.2.1 A Workforce and Development Plan and an Organisational Development Strategy should be put in place as stipulated in the Integration Scheme.

Action: Chief Officer, IJB

4.3 Declarations of Interest and compliance with code of conduct for members

Members of the IJB are required to complete an up to date declaration of interest and sign an undertaking to subscribe to and comply with the code of conduct for members. An audit check that all members had completed this was carried out. It was found that an up to date declaration of interests had been completed by everyone but that two members of the Board had not signed an undertaking on the code of conduct. The names of these two members were passed to the Democratic Services Manager who advised he would obtain undertakings.

Recommendation

4.3.1 The two members of the IJB who have not signed a code of conduct undertaking should be requested to do so.

Action: Director of Corporate and Community

4.4 Representation on Clinical & Care Governance Committee

The Integration Scheme requires that a Clinical and Care Governance Group was to be established by the parties which would report through the Chief Officer to the Integration Board. The group was to include representatives from the parties and others including:

- Senior Management Team of the Partnership
- Clinical Director
- Lead Nurse
- Lead from the Allied Health Professions
- Chief Social Work Officer
- Service user and carer representatives
- Third sector and independent sector representatives.

The IJB endorsed this representation at its meeting of 17 June 2016 and added three further representatives. All of the stipulated representation is met by the current members of the Committee with the exception of a carer representative.

Recommendation

4.4.1 A carer's representative should be invited to join the membership of the Clinical and Care Governance Committee as soon as possible in accordance with the Integration Scheme and the IJB decision of 17 June 2016.

Action: Chief Officer, IJB

4.5 Version Control

There are many documents in place covering IJB activity and requirements, some of which include the following:

- date that the document was compiled
- date approved where applicable,
- who approved it,
- version control
- review arrangements

Due to the nature of some of the documents, not all or any of these may be applicable or necessary but good practice as stated in the Council's Records Management Plan as approved by the Keeper of the Records of Scotland would incorporate these features in each applicable document.

Recommendation

4.5.1 All documents relating to the IJB should comply with the requirements of the Records Management Plan.

Action: Chief Officer, IJB

4.6 Review of Risk profile

It was stated in the Integration Scheme that a model risk management policy and strategy developed by the Health Board and all local authorities within its area would be available to the IJB at its first meeting. Since then, a specific policy has been established and approved.

One of the requirements of the policy is that the strategic and shared risks are regularly monitored by the HSCP Management Team the Integration Joint Board and the Performance and Audit Committee. In addition, it is stated that the risk profile will be reviewed on a quarterly basis by the HSCP Management Team.

The IJB has adopted the risk profile of the Council in terms of scoring methodology and risk appetite and as such would only be reviewed if the Council methodology was amended.

Recommendation

4.6.1 The risk management policy's requirement of quarterly review of the risk profile by the HSCP Management Team should be amended to reflect actual practice.

Action: Chief Officer, IJB

Chief Auditor 22 June 2018

ACTION PLAN

Risk Rating	isk Ratings for Recommendations						
High	• Key controls absent, not being operated as designed or could be improved and could impact on the organisation as a whole.						
	Corrective action must be taken and should start immediately.						
Medium	• There are areas of control weakness which may be individually significant controls but unlikely to affect the organisation as a whole.						
	Corrective action should be taken within a reasonable timescale.						
Low	Area is generally well controlled or minor control improvements needed.						
	Lower level controls absent, not being operated as designed or could be improved						
Efficiency	• These recommendations are made for the purposes of improving efficiency, digitalisation or reducing duplication of effort to separately						
	identify them from recommendations which are more compliance based or good practice.						

Ref.	Recommendation	Risk Rating	Accepted Yes/No	Comments (if appropriate)	Officer Responsible	Timescale for completion
4.1.1	The IJB should develop a protocol with the auditors to ensure all internal audit reports that affect the IJB are made available to its performance and audit committee.	Medium				·
4.2.1	A Workforce and Development Plan and an Organisational Development Strategy should be put in place as stipulated in the Integration Scheme.	Medium				
4.3.1	The two members of the IJB who have not signed a code of conduct undertaking should be requested to do so.	Low				
4.4.1	A carer's representative should be invited to join the membership of the Clinical and Care Governance Committee as soon as possible in accordance with the Integration Scheme and the IJB decision of 17 June 2016.	Low				
4.5.1	All documents relating to the IJB should comply	Low				

Ref.	Recommendation	Risk Rating	Accepted Yes/No	Comments (if appropriate)	Officer Responsible	Timescale for completion
	with the requirements of the Records Management Plan.					
4.6.1	The risk management policy's requirement of quarterly review of the risk profile by the HSCP Management Team should be amended to reflect actual practice.	Low				

APPENDIX

CODE OF GOVERNANCE FOR EAST RENFREWSHIRE IJB

No	Issue	Current level of compliance	Detail	Legislation
1 1	Integration Scheme	Fully Compliant	An Integration Scheme has been completed, submitted, approved and implemented for the IJB and sets out key arrangements for how health and social care integration is to be planned, delivered and monitored within the local area including:	Public Bodies (Joint Working) (Scotland) Act 2014
			meeting of East Renfrewshire IJB was held on 19 August 2015. Internal Audit reviewed the Integration Scheme in 2016/17 and found it to	
			be comprehensive with no recommendations required to be made. The Integration Scheme was recently revised to take into account changes in carers' legislation. The revised scheme was approved by the IJB at its meeting of 14 February 2018.	
			The Scheme is available on the IJB website.	
2	Local Governance Arrangements	Fully	The IJB comprises:	Public Bodies
	& delegation of functions	Compliant	Voting members	(Joint Working)

No	Issue	Current level of compliance	Detail	Legislation
	Integration Scheme Requirements:		 4 East Renfrewshire Council members nominated by ERC 4 non-executive directors nominated by NHSGGC 	(Scotland) Act 2014
	Each party shall appoint four voting representatives.		Non-voting members	
	The IJB will make standing orders for the regulation of its procedure and business.		 ERC Chief Social Worker Chief Officer of IJB Chief Financial Officer Clinical Director (Registered primary service providing medical practitioner) Chief Nurse (Registered nurse employed by NHS) Clinical Director for Medicine for the Elderly (Registered non-providing primary services medical practitioner) 	
			A Code of Conduct has been established for Members of East Renfrewshire Integration Joint Board.	
			A Declaration of Interests form is completed by each member who also sign an undertaking to adhere to the code of conduct.	
			The Board meets seven times a year and the minutes are publicly available on the IJB section of the Council website.	
			The IJB has in place a Chief Internal Auditor and an Annual Audit Plan which is approved by the Performance & Audit Committee. Reports are available online e.g. Care Inspectorate activity, External Audit, Internal Audit.	
			Standing Orders (SOs) were approved by IJB at its inaugural meeting on 19 August 2015 and have had two subsequent amendments. SOs set out rules and regulations for the conduct and proceedings of the IJB and its committees and includes, among other aspects:	
			Membership	

No	Issue	Current level of compliance	Detail	Legislation
			 Appointment of Chairperson and Vice Chairperson Term of Office Resignation and removal of members Order of business Quorum Remote participation in meetings Conduct of meetings An annual governance statement is incorporated within the annual	
			accounts explaining how the IJB complies with the code of corporate governance and meets the requirements of the "Code of Practice for Local Authority Accounting in the UK: A Statement of Recommended Practice" in relation to the Statement on the System of Internal Financial Control. The IJB has established two sub-committees: Performance & Audit	
			Committee and Clinical & Care Governance Committee. The IJB has appointed both a Chief Officer and a Chief Financial Officer.	
3	Local Operational Delivery Arrangements Integration Scheme Requirements: A Strategic Plan will be prepared and implemented in relation to the delegated provision of health and social care services to adults and children and criminal justice social work in accordance with section 29 of the Public Bodies (Joint Working)(Scotland) Act 2014	Fully Compliant	A Strategic Plan has been established covering the years 2015 – 2018. This was approved by IJB at its first meeting on 19 August 2015 for enactment on 7 October 2015. A draft updated Strategic Commissioning Plan 2018-2021 was submitted to the Board meeting of 14 February 2018 and a final version is proposed to be presented to the June 2018 meeting. The Plan covers: strategic priorities integration planning principles HSCP resources Implementation Plan Performance Reporting 	Public Bodies (Joint Working) (Scotland) Act 2014

No	Issue	Current level of compliance	Detail	Legislation
	A core set of performance indicators will be identified that relate to Services from publicly accountable and national indicators and targets that the Parties currently report against.		Governance & Future Planning A comprehensive suite of performance indicators have been established covering the IJB's activities. This was the subject of an internal audit which was carried out in 2016/17 for which the recommendations were accepted and this will be followed-up in 2018/19. The Deformance & Future Planning A comprehensive suite of performance indicators have been established covering the IJB's activities. This was the subject of an internal audit which was carried out in 2016/17 for which the recommendations were accepted and this will be followed-up in 2018/19.	
4	Performance & Audit Integration Scheme Requirements: The Parties will identify a core set of indicators that relate to Services from publicly accountable and national indicators and targets that the Parties currently report against. A list of indicators and measures which relate to integration functions will be collated along with information on the data gathering and reporting requirements for performance targets and improvement measures in a performance directory. The Parties will share all performance information, targets and indicators and the directory with the Integration Joint Board. The directory will also state where the responsibility for each measure lies, whether in full or in part.	Fully Compliant	 The Performance and Audit Committee has been established which meets four times per year and has seven members. The terms of reference of this committee include the following: Review the overall internal control arrangements of the Board and make recommendations to the Board regarding signing of the Governance Statement, having received assurance from all relevant Committees Acting as a focus for value for money and service quality initiatives Review of risk management arrangements, receiving annual risk management updates and reports, and ensuring existence of and compliance with an appropriate risk management strategy Considering annual financial accounts and related matters before submission to and approval by the IJB Ensuring that Chief Officer establishes and implements satisfactory arrangements for reviewing and appraising service performance against set objectives, levels and standards of service and Pls and to receive regular reports on these and to review the outcomes Review of the implementation of the Strategic Plan Minutes of the Committee's meetings are on the IJB pages of the Council's website. 	Public Bodies (Joint Working) (Scotland) Act 2014

No	Issue	Current level of compliance	Detail	Legislation
	The directory will also be used to prepare a list of any targets, measures and arrangements which relate to functions of the Parties, which are not delegated to the Integration Joint Board, but which are affected by the performance and funding of integration functions and which are to be taken account of by the Integration Joint Board when preparing the Strategic Plan.			
	The directory will be reviewed regularly to ensure the improvement measures it contains continue to be relevant and reflective of the national and local Outcomes to which they are aligned.			
5	Clinical and Care Governance Integration Scheme Requirements: The Clinical and Care Governance Group is to be established reporting through the Chief Officer to the Integration Joint Board and containing representatives from the parties including: • Senior Management Team of the Partnership; • Clinical Director	Partially Compliant	 A sub-committee of IJB covering clinical and care governance has been established which is chaired by the chair of the IJB. It meets on three occasions per year. The terms of reference of this committee are: to provide assurance to IJB, Council and NHS that professional standards of staff are maintained to provide assurance that appropriate professional leadership is in place to review significant and adverse events and ensure learning is applied to support staff in continuously improving the quality and safety of care to ensure that service user/patient views are actively sought and 	Public Bodies (Joint Working) (Scotland) Act 2014

No	Issue	Current level of compliance	Detail	Legislation
	 Lead Nurse Lead from the Allied Health Professions Chief Social Work Officer Service User and carer representatives Third Sector and Independent Sector representatives 		listened to • to re-energise a culture of quality improvement. All of the representation as stipulated in the Integration Scheme is currently covered by members of the Clinical and Care Governance Committee with the exception of a carer representative. There is however a carer representative on the IJB.	
6	Chief Officer Integration Scheme Requirements: Chief Officer will routinely liaise with counterparts of the other integration authorities within the Health Board area. Chief Officer will routinely liaise with the Council's lead officer responsible for the local housing strategy and the non-integrated housing function.	Fully Compliant	In the event that the Chief Officer is absent or unable to carry out their functions, at the request of the IJB, the Chief Executives of the Health Board and the Council will in consultation with the Chair/Vice Chair of the IJB, jointly appoint a suitable interim replacement. Meetings are held monthly on rotational basis at each HSCP where Chief Officer will act as chair at their own venue. These meetings are minuted and the minutes distributed to each Chief Officer. The Head of Environment (Strategic Services) whose responsibilities includes Housing meets with the Head of Strategic Services on a regular informal basis, these meetings are not minuted. There are joint regular meetings between the Environment Department and HSCP.	Public Bodies (Joint Working) (Scotland) Act 2014
7	Workforce Integration Scheme Requirements: A joint Workforce and Development Plan to address learning and development of staff will be in place by April 2016. Organisational Development	Partially Compliant	Neither the Workforce Development Plan nor the Organisational Development Strategy are in place. It is intended that the latter will be incorporated into the Workforce Development Plan. There are mid-year and annual performance reviews covering all staff. An annual survey of employees takes place across the IJB using the iMatter tool for all staff.	Public Bodies (Joint Working) (Scotland) Act 2014

No	Issue	Current level of compliance	Detail	Legislation
	Strategy addressing staff engagement and governance to be in place by April 2016.			
8	Integration Scheme Requirements: A minimum of four financial monitoring reports are to be submitted to the IJB each financial year.	Fully Compliant	There is a Chief Finance Officer responsible for the administration of its financial affairs. Regular monitoring of financial performance is carried out and reports were submitted to the IJB on five occasions during 2017/18. Regular budget update and financial planning reports are taken to the IJB. The Annual Report and Accounts are compiled annually and are available in the IJB section of the East Renfrewshire Council website. These are independently audited by Audit Scotland. The Annual Report and Accounts are approved by the Performance and Audit Committee and then remitted to the IJB for approval. The Financial Regulations for the IJB were approved by the Performance and Audit Committee on 18 December 2015.	Public Bodies (Joint Working) (Scotland) Act 2014
9	Participation and Engagement Integration Scheme Requirements: The Participation and Engagement Strategy will be produced by 31 March 2016.	Fully Compliant	The Participation and Engagement strategy was approved by IJB on 17 August 2016 which takes into consideration the extensive regulations, guidance and advice to Integration Joint Boards and public bodies. The strategy has been developed based on conversations, engagement, capacity building and feedback work undertaken by the HSCP and former CHCP. The preferred approach is for a simple, accessible and live strategy that supports active participation and engagement and commits to ongoing partnership working, feedback monitoring and review.	Public Bodies (Joint Working) (Scotland) Act 2014
10	Information Sharing and Data	Fully	IJB has established a publication scheme.	Public Bodies (Joint

No	Issue	Current level of compliance	Detail	Legislation
	Integration Scheme Requirements: The Council and Health Board work along with all local authorities in Greater Glasgow and Clyde through the Joint Information & Health Systems Group (JIHS) to develop, review and maintain an Information Sharing Protocol. The Parties shall work together to ensure that the Protocol is reviewed on an annual basis and that as part of this process	Compliant	An Information Sharing Protocol was established in May 2013. This has been superseded by an annual signed Information Sharing Agreement. Any subsequent updates required will be issued as addendums to the main document. The Records Keeper of Scotland has not yet invited any IJB to submit a Records Management Plan (RMP). Per East Renfrewshire Council's Records Manager, IJBs have a separate statutory basis and the Keeper has said that they will be approached to adopt an RMP covering in theory only the relatively narrow area of their executive authority ie just the strategic records. Most of the IJB's information is under the auspices of either the Council or the Health Board. The Council currently has a Records Management Plan in place.	Working) (Scotland) Act 2014
	the views of the Integration Joint Board will be canvassed and considered.		The IJB complies with Freedom of Information legislation and has its own policy which was approved by the IJB on 25 November 2015. The policy states that it is subject to regular review and update, in practice this will be determined by any legislative changes.	
11	Complaints/ Dispute Resolution Mechanism Integration Scheme Requirements: Details of the complaints procedures will be provided on line, in complaints literature and on posters. The Parties will produce a joint report on a six monthly basis for consideration by the IJB.	Fully compliant	The Scottish Public Services Ombudsman's Model Complaint Handling Process (CHP) adopted from 1 April 2017 for HSCP complaints and from 1 July 2017 for IJB complaints. The East Renfrewshire Integration Joint Board is covered by the Clinical Negligence and Other Risks Indemnity Scheme (CNORIS). Those complaints which are classified as IJB complaints will be mainly limited to the following: • IJB's policies • IJB's decisions • The administrative or decision-making processes followed by IJB in coming to a decision.	Public Bodies (Joint Working) (Scotland) Act 2014

No	Issue	Current level of compliance	Detail	Legislation
			Introduction of the model CHP was approved by the IJB on 28 June 2017 and requires a change to the reporting period for complaints from six monthly as specified in the Integration Scheme to quarterly. HSCP and IJB complaints received were most recently reported to the Clinical & Care Governance Committee on 1 November 2017.	
			There is reference to the ER HSCP Integration Joint Board Complaints Handling procedure on the Council website under "Complaints". There is a leaflet and poster which have been established to publicise the complaints procedure for the IJB. These are on display at HSCP locations.	
12	Claims Handling, Liability & Indemnity Integration Scheme Requirements: As staff are managed by the parties which retain the rights and responsibilities to manage staff and the operation of buildings under their control, the parties will continue to indemnify, insure and accept responsibility for the staff that they each employ; their capital assets and the respective services that each party has delegated to the IJB. Any liabilities arising from decisions taken by the IJB will be equally shared between the parties.	Fully compliant	These arrangements are in place for any situation which may arise. No liability incidence has arisen to date.	Public Bodies (Joint Working) (Scotland) Act 2014

No	Issue	Current level of compliance	Detail	Legislation
13	Risk Management Integration Scheme Requirements: The Chief Officer working with the Chief Executives of the Parties will review existing Strategic and Operational risk registers, identify the appropriate risks to move to the shared risk register and agree mitigations which was to be available within the first year of operation of the IJB.	Fully compliant	The Risk Management Policy and Strategy was endorsed by Performance & Audit Committee on 29 June 2016 and approved by IJB on 17 August 2016. The Strategic Risk Register (SRR) is submitted to IJB annually – most recently 28 August 2017. The SRR is taken to each meeting of the Performance & Audit Committee, most recently submitted on 4 April 2018. The IJB has adopted the risk profile of the Council in terms of scoring methodology and as such would only be reviewed if the Council methodology was amended. There is a section on risk included in key reports where appropriate. Any significant risks in the IJB SRR are included in the ERC and / or NHSGGC SRR. The Council's Corporate Management Team consider the SRR as a standing agenda item for their meetings.	Public Bodies (Joint Working) (Scotland) Act 2014