



Integration Joint Board

30th November 2017

This Report relates to
Item 9 on the Agenda

2017/18 Revision of Directions from the Integration Joint Board to Dumfries and Galloway NHS Board and Dumfries and Galloway Council

For Approval

(Paper presented by Julie White)

Approved for Submission by	Dumfries and Galloway Health and Social Care Partnership
Author	Vicky Freeman, Head of Strategic Planning
List of Background Papers	Public Bodies (Joint Working) (Scotland) Act 2014 Integration Scheme between NHS Dumfries and Galloway and Dumfries and Galloway Council
Appendices	Appendix 1 – Direction to Provide Delegated Services to Dumfries and Galloway Integration Joint Board Appendix 2 – Good Practice Note – Directions from Integration Authorities to Health Boards and Local Authorities 2016

SECTION 1: REPORT CONTENT

Title/Subject:	2017/18 Revision of Directions from the Integration Joint Board to Dumfries and Galloway NHS Board and Dumfries and Galloway Council
Meeting:	Integration Joint Board
Date:	30 th November 2017
Submitted By:	Vicky Freeman, Head of Strategic Planning
Action:	For Approval

1. Introduction

- 1.1 The Integration Joint are asked to consider the need to issue a revision of directions to take into account key developments during this financial year.
- 1.2 Binding directions is the mechanism by which Integration Authorities implement their strategic commissioning plans. The issuing of any new directions should therefore be considered alongside the Dumfries and Galloway Integration Joint Board Strategic Plan 2016-19.
- 1.3 The issuing of revised directions to take into account key developing during this financial year, will not vary, revoke or supersede the 2016/17 Integration Joint Board Directions (Appendix 1)

2. Recommendations

- 2.1 **The Integration Joint Board is asked to:**
 - **Note the Scottish Governments Good Practice Note on the form and content of directions (Appendix 2)**
 - **Consider the need to issue a revision of directions to take into account key developing during this financial year**
 - **Approve the key developments that would need to be included in a set of revised directions from the Integration Joint Board to Dumfries and Galloway NHS Board and Dumfries and Galloway Council**
 - **Approve the issuing of a set of revised directions from the Dumfries and Galloway Integration Joint Board to Dumfries and Galloway NHS Board and Dumfries and Galloway Council**

- **Approve the development and implementation of a standardised template for the issuing of directions from the Integration Joint Board to the Health Board and Council to ensure robustness and consistency of approach.**

3. Background

- 3.1 The *Public Bodies (Joint Working) (Scotland) Act 2014* (the Act) places a duty on Integration Joint Boards to develop a strategic plan for functions and budgets under their control. Sections 26 to 28 of the Act set out the method that IJBs should use to implement their strategic plan, which involves each IJB providing their Health Board and Local Authority with binding directions. Each IJB should issue directions relating to all of its delegated functions.
- 3.2 The Scottish Government issued a *Good Practice Note (Directions from Integration Authorities to Health Boards and Local Authorities)* in March 2016 (Appendix 2). It states that directions should be made in writing, set out clearly how the functions should be delivered and provide detailed information on the related financial resources.
- 3.3 This paper lays out the key developments during this financial year for the IJB to consider for inclusion within a set of revised directions.
- 3.4 Directions will be developed with the Health Board and Council to ensure a collaborative and co-productive approach.
- 3.5 The format of directions is a matter for local determination. It is proposed therefore, that a template for directions be developed and implemented to ensure robustness and consistency of approach to this process going forward.

4. Main Body of the Report

4.1 Key Developments During 2017/18

- 4.2 It is recommended that revised directions be issues with regard to the following areas of work:
- Make progress towards the development of a new Care at Home/Care Home strategy for Dumfries and Galloway – Joint direction.
 - Ensure robust commissioning arrangements are in place for the provision of those functions delegated to the IJB that are provided by external providers – Joint direction
 - Development of a new non statutory strategy for Carers – Joint direction
 - Development of a new strategy for Mental Health Services – Joint direction

- Undertake a review of Learning Disability Services – Joint direction
- Undertake the migration of Acute Services to the new Dumfries and Galloway Royal Infirmary – Direction to Dumfries and Galloway NHS Board
- Review Health and Social Care Services in Wigtownshire (including Galloway Community Hospital) – Joint direction
- Undertake an options appraisal for vascular surgery for the people of Dumfries and Galloway – Direction to Dumfries and Galloway NHS Board
- Develop and implement a service planning framework containing a range of service planning principles for the planning of services delegated to the Integration Joint Board – Joint direction
- Develop appropriate links to the planning arrangements/structure for the development of a West of Scotland Delivery Plan for those areas of service and functions that have been delegated to the Integration Joint Board – Joint direction
- Undertake a review of Short Break Services – Joint direction
- Ensure arrangements are in place to implement the new Carers Act 2016 from 1st April 2018 – Joint direction

5. Conclusions

- 5.1 Revising directions is in line with the Scottish Government Good Practice Note on Directions

SECTION 2: COMPLIANCE WITH GOVERNANCE STANDARDS

6. Resource Implications

- 6.1. Any resource implications would be highlighted within the revised Directions

7. Impact on Integration Joint Board Outcomes, Priorities and Policy

- 7.1. Directions are the identified mechanism for Integration Authorities to implement their strategic commissioning plans that take into account outcomes, priorities and policy

8. Legal & Risk Implications

- 8.1. As detailed in the body of the Paper

9. Consultation

- 9.1. Not required. The issuing of Directions from Integration Joint Boards to NHS Boards and Councils is a legislative requirement.

10. Equality and Human Rights Impact Assessment

- 10.1. Not required

11. Glossary

- 11.1. IJB - Integration Joint Board

To the Council

Directions to Provide Delegated Services to Dumfries and Galloway Integration Joint Board

Integration Authorities require a mechanism to action their strategic commissioning plans. This is laid out in sections 26 to 28 of The Public bodies (Joint Working) (Scotland) Act 2014 and further reiterated in the “Good Practice Note, Directions from Integration Authorities to Health Boards and Local Authorities”, issued by Scottish Government in March 2016.

The purpose of this letter is to give Dumfries and Galloway Council formal binding directions, effective from 1st April 2016, to deliver the services delegated to Dumfries and Galloway Integration Joint Board as laid out in the Dumfries and Galloway Health and Social Care Partnership Strategic Plan 2016 – 2019 and supported by the Integration Scheme between NHS Dumfries and Galloway and Dumfries and Galloway Council.

More specifically, direction is given to Dumfries and Galloway Council to provide the functions as set out in Part 2 of Annex 2 of The Integration Scheme. Furthermore, it is recognised that work is on-going to identify any service areas which originally were not included in delegated services within The Integration Scheme but which may now be included within the IJB’s remit. Any such services are to be included within the directions bound by this letter.

We are also required to state what financial resources are available to you for carrying out functions that are the subject of these directions, including the allocated budget and how that budget is to be used. Given that assured and agreed budgets will not be in place for the start of the financial year please continue with your activities utilising the same financial disciplines as you would normally.

These directions will stay in place until varied, revoked or superseded by a later direction.

To the NHS Board

Directions to Provide Delegated Services to Dumfries and Galloway Integration Joint Board

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More specifically, direction is given to NHS Dumfries and Galloway to provide the functions as set out in Part 1 of Annex 2 of The Integration Scheme. Furthermore, it is recognised that work is on-going to identify any service areas which originally were not included in delegated services within The Integration Scheme but which may now be included within the IJB’s remit. Any such services are to be included within the directions bound by this letter.

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Good Practice Note

(Link <http://www.gov.scot/resource/0049/00498164.pdf>)

Directions from Integration Authorities to Health Boards and Local Authorities

1. Introduction – the wider context for directions

- 1.1 The Public Bodies (Joint Working) (Scotland) Act 2014 (the Act) places a duty on Integration Authorities to develop a “strategic plan” (also known as a strategic commissioning plan) for integrated functions and budgets under their control.
- 1.2 Each Integration Authority must produce a strategic commissioning plan that sets out how they will plan and deliver services for their area over the medium term, using the integrated budgets under their control. Stakeholders must be fully engaged in the preparation, publication and review of the strategic commissioning plan, in order to establish a meaningful co-productive approach, to enable Integration. Authorities to deliver the national outcomes for health and wellbeing, and achieve the core aims of integration.
- 1.3 Integration Authorities require a mechanism to action their strategic commissioning plans, and this is laid out in sections 26 to 28 of the Act. This mechanism takes the form of binding¹ directions from the Integration Authority to one or both of the Health Board and Local Authority.
- 1.4 In the case of an Integration Joint Board (IJB), a direction must be given in respect of every function that has been delegated to the IJB². Where the lead agency model is used, the Integration Authority *may* issue directions or may carry out functions itself.
- 1.5 In either case, a direction must set out how each integrated health and social care function is to be exercised, and the budget associated with that.

2. Form and content of directions

- 2.1 Directions must be in writing³ and should set out a clear framework for operational delivery of the functions that have been delegated to the Integration Authority.
- 2.2 Directions must clearly identify which of the integrated health and social care

functions⁴ they relate to. The Integration Authority can direct the carrying out of those functions by requiring that a particular named service or services be provided. Where appropriate, the same document can be used to give directions to carry out multiple functions.

- 2.3 Directions must include detailed information on the financial resources that are available for carrying out the functions that are the subject of the directions, including the allocated budget and how that budget (whether this is payment, or an amount made available) is to be used⁵.

- ¹ Section 27(4).
- ² Section 26(1). This requirement may be removed or varied in relation to a particular Integration Joint Board if an application under section 27(7)(a) is made by the Health Board and Local Authority for the area of the Integration Joint Board.
- ³ Section 27(5)(b)
- ⁴ The functions that have been delegated by the Local Authority and Health Board, as described in the relevant Integration Scheme.
- ⁵ Section 27(1)(a),(b) and (c)

- 2.4 The exercise of each function can be described in terms of delivery of services, achievement of outcomes, and/or by reference to the strategic commissioning plan.

- 2.5 Directions may stipulate which of the health board or local authority is to carry out a particular function, or may require a function to be carried out jointly. The direction may also specify what the health board and/or local authority is to do in relation to carrying out a particular function.

- 2.6 The financial resource allocated to each function in a direction is a matter for the Integration Authority to determine. The Act makes particular provision in relation to the allocation of budgets for the sum “set aside” in relation to large hospital functions⁶, which gives flexibility for the Integration Authority to direct how much of the sum set aside is to be used for large hospital services and for the balance to be used for other purposes.

3. Process for issuing and revising directions

- 3.1 A direction will remain in place until it is varied, revoked⁷ or superseded by a later direction in respect of the same function.
- 3.2 The legislation does not set out fixed timescales for directions. This flexibility allows directions to ensure that delivery of integrated health and social care functions is consistent with the strategic commissioning plan, and takes account of any changes in local circumstances. In contrast with the strategic commissioning plan, there is therefore scope for directions to include detailed operational instructions in relation to particular functions (and the associated services).
- 3.3 Directions issued at the start of the year should be subsequently revised during the year in response to developments.
- 3.4 For example, should an overspend be forecast on either of the operational

budgets – for health or social care services provided by the Health Board and Local Authority – the Chief Officer will need to agree a recovery plan to balance the overspending budget (in line with the provisions in the Integration Scheme and statutory guidance⁸ for finance under integration). This may require an increase in the payment to either the Health Board or Local Authority, funded by either:

- Utilising an underspend on the other arm of the operational integrated budget to reduce the payment to that body; and/or
- Utilising the balance on the general fund, if available, of the IJB.

3.5 A revision to the directions will be required in either case.

⁶Section 28, which allows the integration authority to allocate a “specified amount” of the set-aside budget, but requires top-up payments should additional resource be required.

⁷Section 27(5)(a)

⁸<http://www.gov.scot/Resource/0048/00480494.pdf>

