



Dumfries and Galloway  
Integration Joint Board

18<sup>th</sup> November 2021

This Report relates to  
Item 10 on the Agenda

# Annual Review of Directions to Constituent Authorities

*Paper presented by Alison Warrick*

*For Discussion and Noting*

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<b>List of Background Papers:</b>	<a href="https://www.legislation.gov.uk/asp/2014/9/contents/enacted">Public Bodies (Joint Working) (Scotland) Act 2014</a> <a href="https://www.legislation.gov.uk/asp/2014/9/contents/enacted">https://www.legislation.gov.uk/asp/2014/9/contents/enacted</a>
<b>Appendices:</b>	<b>Appendix 1 Annual Review of Directions</b>

Direction Required to Council, Health Board or Both	Various	
	Title	Reference Number
	<b>Direction to:</b>	
	1. No Direction Required	X
	2. Dumfries and Galloway Council	
	3. NHS Dumfries and Galloway	
	4. Dumfries and Galloway Council and NHS Dumfries and Galloway	

## **1. Introduction**

1.1 This Report is presented to provide Members with an update on all outstanding directions which the Integration Joint Board (IJB), has issued to either NHS Dumfries and Galloway, Dumfries and Galloway Council, or both relating to each function which they have delegated to the IJB.

1.2 Although it was previously agreed that the IJB Performance and Finance would receive the annual report on Directions, this has not been possible this year hence the reason for presenting this to the IJB instead.

## **2. Recommendations**

### **2.1 The Integration Joint Board is asked to:**

- **Discuss the content of this Report on Directions**

## **3. Background and Main Report**

3.1 Integration Authorities (Integration Joint Boards) require a mechanism to action their Strategic Commissioning Plans, sections 26 and 27 of the Public Bodies (Joint Working) (Scotland) Act 2014 state that an IJB must give a direction to a constituent authority to carry out each function delegated to them. Directions must be in writing and must identify the budget allocated for delivery of the function.

3.2 Directions are legal binding and are there to clarify responsibilities and requirements between the IJB, the Local Authority and the Health Board. A Direction can be issued from the IJB to either the Local Authority, the Health Board or both.

3.3 Directions should make it easier to ascertain which body has responsibility for a particular function or service either financially or in its decision making process.

3.4 Directions will remain in place until varied, revoked or superseded by a later direction.

3.5 Directions are the end point of a process of decision making by the IJB. Directions should not contain surprising or completely unknown information about service change or redesign and should follow a period of wider engagement on the function(s) that are the subject of the direction. This would normally be part of the service planning and design phase of strategic commissioning and would involve engagement and consultation with delivery partners including the Health Board and the Local Authority.

3.6 A direction will remain in place until it is varied, revoked or superseded by a later direction.

3.7 Initially the, directions issued were broad and covered a wide range of functions. They have become more focused over the last year, however it is realised that in order to have a full set of meaningful directions some work must take place to align

the functions with finance.

3.8 To date the IJB has issued 50 Directions broken down as follows:

Financial Year Issued	Total	Outstanding
2016/17	1	0
2017/18	6	1
2018/19	6	1
2019/20	2	1
2020/21	25	15
2021/22	11	11
Total	50	29

3.9 **Appendix 1** provides a status on each outstanding direction which includes their progress against specified outcomes and budget.

3.10 A number of Directions have not been able to be progressed as planned due to responding to the Covid 19 pandemic and the impact of staff being deployed elsewhere as a result of this. Work will recommence by Spring 2022.

3.11 It is anticipated that following discussion with key individuals to align the functions with finance a process will be agreed to allow fuller directions to be issued to the constituent authorities in the next financial year.

#### **4. Conclusions**

4.1 Based on the information provided it is hoped that Members are content to discuss and note the report.

#### **5. Resource Implications**

5.1 There are no financial or staffing implications as a result of the content of this Report.

#### **6. Impact on Integration Joint Board Outcomes, Priorities and Policy**

6.1 Each of the Directions issued in this current financial year have a statement against them pertaining to which of the National Health and Wellbeing Outcomes it relates to. This is a process which will continue.

#### **7. Legal and Risk Implications**

7.1 The issuing of directions is a legally binding process as outlined in the Public Bodies (Joint Working) (Scotland) Act 2014.

#### **8. Consultation**

The following have all been consulted on regarding the content of this Report:

8.1 The Chief Officer, Chair and Vice Chair

8.2 The Strategic Planning Group

8.3 Health and Social Care Governance and Performance Group

**9. Equality and Human Rights Impact Assessment**

9.1 As the content of this Report does not propose a change in policy or impact on staffing an impact assessment is not required.

**10. Glossary**

<b>EQIA</b>	<b>Equalities Impact Assessment</b>
<b>IJB</b>	<b>Integration Joint Board</b>

## Dumfries and Galloway Integration Joint Board



### DIRECTION

(ISSUED UNDER SECTIONS 26-28 OF THE PUBLIC BODIES (JOINT WORKING) (SCOTLAND) ACT 2014)

1.	Title of Direction and Reference Number	<i>Reference Number will be added once the direction is formally logged</i>
2.	Date Direction Issued by Integration Joint Board	<i>Date of the IJB Meeting which issued the Direction</i>
3.	Date from which Direction takes effect	<i>Date which is confirmed by the IJB</i>
4.	Direction to	<p><i>This can be either:</i></p> <ul style="list-style-type: none"> <li>• <i>NHS Dumfries and Galloway</i></li> <li>• <i>Dumfries and Galloway Council</i></li> <li>• <i>Both</i></li> </ul>
5.	Does this direction supersede, amend or cancel a previous Direction? If yes, include the reference number(s)	<i>This information is required to provide context to the subject of the Direction</i>
6.	Functions covered by Direction	<i>List of all the functions/services to which the Direction relates e.g. Occupational Therapy, Mental Health</i>
7.	Full text of Direction	<i>Outline what you are asking the authorities to carry out</i>
8.	Budget allocated by Integration Joint Board to carry out Direction	<i>Financial information must be provided and will be the resource allocated to NHS DG, DG Council or both to carry out the Direction. Where the direction relates to multiple functions the financial allocation for each function needs to be specified. The Direction should also outline any savings to be made.</i>
9.	Desired Outcomes	<i>Detail what the Direction is intended to achieve. Ensure this is linked to the Strategic Commissioning Plan, the National Health and Wellbeing Outcomes and any other relevant information.</i>
10.	Performance Monitoring Arrangements	<i>Directions will be reported to the relevant IJB Committee on a 6</i>

		<i>monthly basis.</i> <i>An annual report of all current Directions will be presented to the IJB</i>
11.	Date Direction will be Reviewed	<i>Date no more than 1 year in advance</i>