

Dumfries and Galloway Integration Joint Board

Directions Policy

Document Control		Policy No:	
Policy Group	IJB Governance Documents		
Author	Alison Warrick	Version No:	0.3
Reviewer	IJB	Implementation Date:	May 2021
Status	Draft	Review Date:	May 2023
Approved By		Last Review Date:	
Impact Assessed	Not Required	Data Impact Assessed	Not Required

Version Control	Date	Summary of Changes	Name
0.1	January 2021	Initial document	Alison Warrick
0.2	April 2021	Addition of Appendix 1	Alison Warrick
0.3	May 2021	Review of document	Alison Warrick

Contents

- 1. Purpose and Scope**
- 2. Policy Aims**
- 3. Legislative/Policy Framework**
- 4. Definition and Purpose of Directions**
- 5. Policy Implementation**
- 6. Monitoring and Review**

Appendix 1 Directions Process

DRAFT

1. Purpose and Scope

This policy sets out the process for formulating, approving, issuing and reviewing directions from Dumfries and Galloway Integration Joint to NHS Dumfries and Galloway and Dumfries and Galloway Council. This policy has been developed in line with the Public Bodies (Joint Working) (Scotland) Act 2014 and Scottish Governments Statutory Guidance on Directions from Integration Authorities to Health Boards and Local Authorities.

The Public Bodies (Joint Working) (Scotland) Act 2014 places a duty on Integration Authorities (IJBs) to develop a strategic commissioning plan, for integrated functions and budgets under their control.

An Integration Authority requires a mechanism to action their strategic commissioning plan, this mechanism takes the form of binding directions from the Integration Authority to one or both of NHS Dumfries and Galloway and Dumfries and Galloway Council. Directions are also the means by which a record is maintained of which body decided what and with what advice, which body is responsible for what, and which body should be audited for what, whether in financial or decision making terms.

In January 2020, the Scottish Government issued Statutory Guidance on Directions from Integration Authorities to Health Boards and Local Authorities.

The Dumfries and Galloway Integration Joint Board must issue a direction in respect of every function that has been delegated to it by NHS Dumfries and Galloway and Dumfries and Galloway Council which must provide relevant budget information.

Directions are the means by which the IJB informs the Health Board and the Local Authority what is to be delivered using the integrated budget and for the IJB to improve the quality and sustainability of care, as outlined in its strategic commissioning plan.

Directions are also the legal basis on which the Health Board and Local Authority deliver services that are under the control of the IJB.

2. Policy Aims

This policy seeks to enhance governance, transparency and accountability between the IJB, NHS Dumfries and Galloway and Dumfries and Galloway Council, by clarifying responsibilities.

This policy has been developed to ensure compliance with Scottish Governments [Directions from Integration Authorities to health boards and local authorities: statutory guidance](#)

3. Legislative/Policy Framework

The Public Bodies (Joint Working) (Scotland) Act 2014 states that an Integration Joint Board must give a direction to a constituent authority to carry out each function delegated to the Integration Authority.

The final report of the Ministerial Strategic Group (MSG) Health and Community Care Review of Progress with Integration, published in February 2019, proposed enhanced governance and accountability arrangements.

Revised statutory guidance on directions was issued by Scottish Government in January 2020. This statutory guidance informed the development of this policy, to ensure it meets key requirements to improve governance, transparency and accountability between all partner organisations.

4. Definition and Purpose of Directions

It is essential that directions are understood to be 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 should normally be part of the service planning and design phase of strategic commissioning.

Directions are legally binding, which is why they come at the end point of a process of planning and decision making. The delivery partners are required to comply with all directions received from the IJB, and the law is clear that they may not amend, ignore, appeal or veto any direction.

Neither NHS Dumfries and Galloway nor Dumfries and Galloway Council may use resources allocated via the Integration Joint Board in pursuit of a direction for any other purpose than that intended.

Specific directions can be given to NHS Dumfries and Galloway, Dumfries and Galloway Council, or both depending on the services to be provided. However, directions should not be issued unnecessarily and should be proportionate.

A direction will remain in place until it is revoked, varied or superseded by a later direction in respect of the same function.

In summary, the purpose of directions is to set a clear framework for the operational delivery of the functions that have been delegated to the IJB. All directions must be in writing. Functions may be described in terms of delivery of services, achievement of outcomes and/or the priorities set out in the strategic commissioning plan.

5. Policy Implementation

This Policy has been developed in line with the Public Bodies (Joint Working) (Scotland) Act 2014, Scottish Governments Statutory Guidance on Directions from Integration Authorities to Health Boards and Local Authorities as published in January 2020.

This Policy defines what a direction is and is underpinned by the Directions Procedure (Appendix 1) which supports the development of new and revised directions.

Directions are informed by a number of factors, including but not limited to:

- I. Content of the IJB Strategic Commissioning Plan
- II. Specific service redesign or transformation programmes
- III. Financial changes or developments
- IV. A change in local circumstances
- V. A fundamental change to practice or operations.

6. Monitoring and Review

Directions:

The IJB has agreed that Directions will be monitored on a 6 monthly basis via the IJB Committee structure. This will ensure that the relevant Committee will assume responsibility for maintaining an overview of progress with the implementation of directions, via detailed reports, and escalating any issues to the IJB.

A full set of directions, will be presented to the IJB at the start of the financial year following confirmation of budget setting arrangements, however, other directions will be brought forward throughout the year to reflect strategic developments and service transformation.

Policy:

This policy will be reviewed every two years by the IJB, or earlier if Scottish Government release further guidance.

Directions Procedure

Introduction

This procedure sets out the process for formulating, approving, issuing and reviewing directions for the Dumfries and Galloway Integration Joint Board to NHS Dumfries and Galloway, Dumfries and Galloway Council or both constituent authorities. A process map is attached at **Appendix A** of this document.

Directions

Directions are the mechanism by which the IJB delivers its Strategic Commissioning Plan.

When a Direction is presented to the IJB, the report author must ensure that the content of the Direction include details of the function to which it is the subject of, budget information which has been delegated to deliver it, the impact on workforce, any legal or risk implications, impact on IJB outcomes, priorities or policy, details of consultation and an Equalities Impact Assessment if required.

The final page of the report template (attached at Appendix B) provides a standard format for outlining the requirements for each direction to be issued; all sections of this must be completed.

Following approval at the IJB a Direction will then be issued by the Chief Officer to the Chief Executive of NHS Dumfries and Galloway, the Chief Executive of Dumfries and Galloway Council, or both. This will take the form of a letter together with the IJB report, including Direction template.

Directions will be copied to the Chair and Vice Chair of the NHS Board and the Leader and Deputy Leader of the Local Authority.

Directions should be issued within 7 days of IJB approval where possible.

The details of each Direction issued by the IJB are entered into the IJB Register of Directions.

An update on Directions will be provided 6 monthly to the IJB.

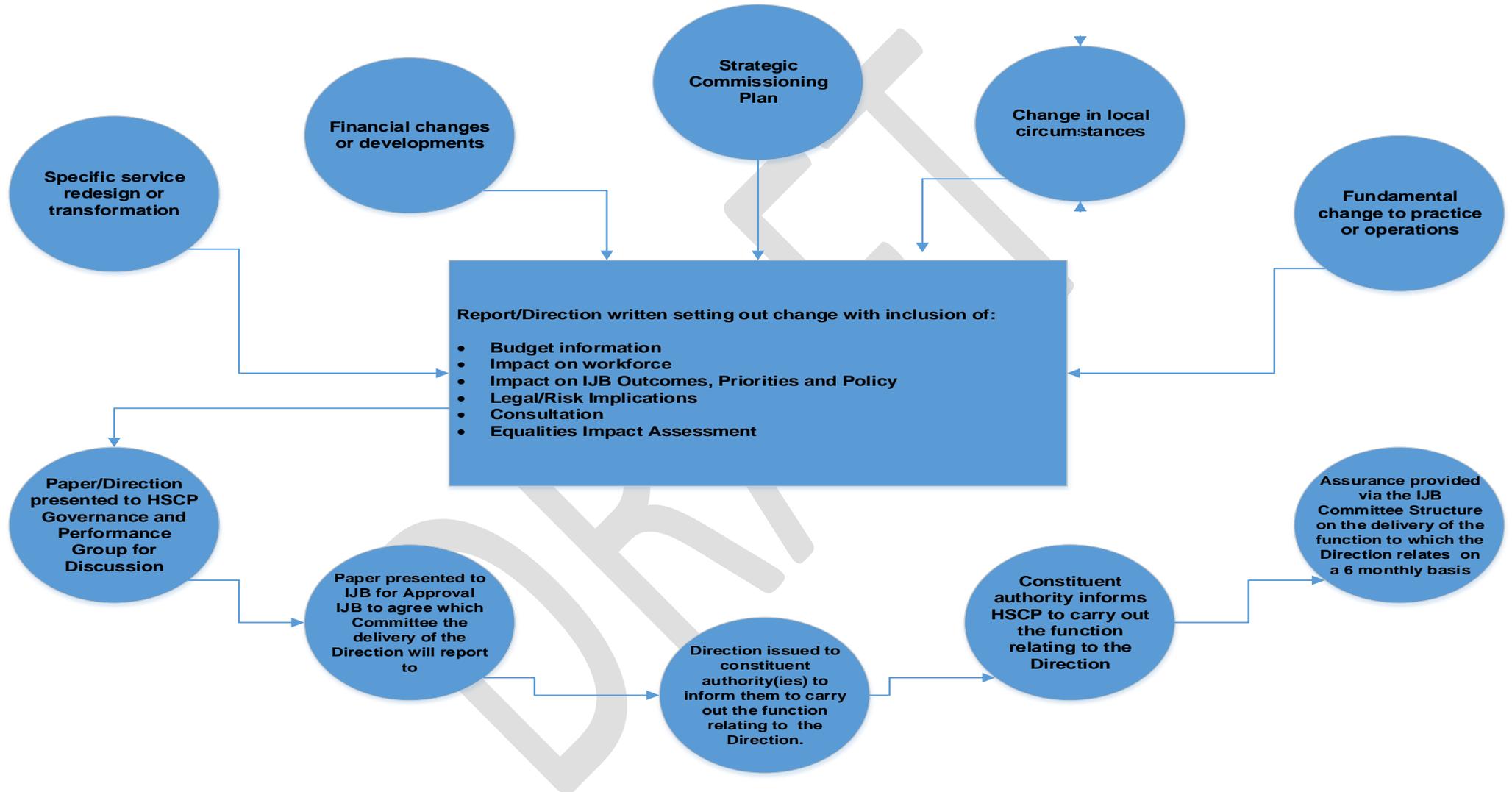
A Direction will remain in place until it is varied, revoked or superseded by a later direction in respect of the same functions.

Implementation and Monitoring of Directions

NHS Dumfries and Galloway and Dumfries and Galloway Council are responsible for complying with and implementing all directions issued by the IJB. As the issuing of directions is a legally binding process any issues with this should be brought to the attention of the Chief Officer.

A bi annual report will be provided to the appropriate Committee and an annual report on all current Directions will be presented to the IJB.

Appendix A Process for Issuing Directions





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>This will be provided by the Governance Officer/Business Support Team</i>
2.	Date Direction Issued by Integration Joint Board	<i>Date of Meeting</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"> • <i>NHS Dumfries and Galloway</i> • <i>Dumfries and Galloway Council</i> • <i>Both</i>
5.	Does this direction supersede, amend or cancel a previous Direction? If yes, include the reference number(s)	<i>This can be provided by the Governance Officer/Business Support Team</i>
6.	Functions covered by Direction	<i>List all the functions to which the Direction related e.g. Occupational Therapy, Mental Health etc</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 monthly basis. 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>