

Dumfries and Galloway Integration Joint Board

18th 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

Author:	Alison Warrick, Corporate Governance Officer
	alison.warrick@nhs.scot
Approved for Submission	Julie White, Chief Officer
by:	julie.white2@nhs.scot
List of Background Papers:	Public Bodies (Joint Working) (Scotland) Act 2014
	https://www.legislation.gov.uk/asp/2014/9/contents/enacted
Appendices:	Appendix 1 Annual Review of Directions

Direction Require	d to	Various	
Council, Health Bo	ard or	Title Reference Number	
Both		Direction to:	
		No Direction Required	Χ
		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- 3.4 Directions will remain in place until varied, revoked or superseded by a later direction.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

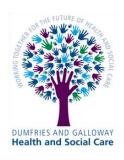
7.1 The issuing of directions is a legally binding process as outlined in the Public Bodies (Joint Working) (Scotland) Act 2014.

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	
	EQIA	Equalities Impact Assessment
	IJB	Integration Joint Board



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	Reference Number will be added once the direction is formally logged
2.	Date Direction Issued by Integration Joint Board	Date of the IJB Meeting which issued the Direction
3.	Date from which Direction takes effect	Date which is confirmed by the IJB
4.	Direction to	This can be either:
		NHS Dumfries and Galloway
		Dumfries and Galloway Council
		• Both
5.	Does this direction supersede, amend or cancel a previous Direction? If yes, include the reference number(s)	This information is required to provide context to the subject of the Direction
6.	Functions covered by Direction	List of all the functions/services to which the Direction relates e.g. Occupational Therapy, Mental Health
7.	Full text of Direction	Outline what you are asking the authorities to carry out
8.	Budget allocated by Integration Joint Board to carry out Direction	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.
9.	Desired Outcomes	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.
10.	Performance Monitoring Arrangements	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
11. Date Direction will be Reviewed	Date no more than 1 year in advance