

Dumfries and Galloway
Integration Joint Board

22nd June 2023

This Report relates to
Item 6a2 on the Agenda

IJB Governance Update

Paper presented by Kirsty Bell

For Approval

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Approved for Submission by:	Katy Kerr, Director of Finance / Chief Finance Officer IJB Audit, Risk and Governance Committee (Chaired by Kim Dams)
List of Background Papers:	D&G IJB Directions Policy 2021 - 2023
Appendices:	Appendix 1 – Directions Governance Protocol Appendix 2 – IJB policy, procedure and guidance overview together with a plan for reviewing

1. Introduction

- 1.1 This paper was tabled at the IJB Audit, Risk and Governance Committee on 8th June 2023 where the Directions Governance Procedure and the plan for review of the IJB Policies, Procedures and Guidance was approved with amendments following consultation with Committee Members.
- 1.2 The Public Bodies (Joint Working) (Scotland) Act 2012 states that an Integration Joint Board must give a direction to a constituent authority to carry out each function delegated to the Integration Authority. There is a requirement to ensure we have a robust Governance Procedure in place for Recording, Monitoring and Management of Directions.
- 1.3 There is a suite of Integrated Joint Board Policies, Procedures and Guidance some of which are due for renewal. Appendix 2 includes a table of all IJB Policies, Procedures and Guidance with a plan to review these so as to ensure due process is followed for the governance purposes.

2. Recommendations

2.1 The Integrated Joint Board is asked to:

- **Following approval from the IJB Audit, Risk and Governance Committee, this paper seeks approval from the Integration Joint Board for the revised procedure for the Recording, Monitoring and Management of Directions (Appendix 1) where this will form part of the Directions Policy 2021 – 2023.**
- **There were 2 suggested amendments to the procedure:**
 - 1. That any change to a Direction in terms of changes to the proposed model and / or delivery timeframes requires the constituent bodies to inform the IJB.**
 - 2. On writing a delivery proposal NHS / LA to ensure this includes any environmental impact.**
- **This paper seeks approval for the plan to review of the IJB Policies, Procedures and Guidance (Appendix 2).**

3. Background and Main Report

- 3.1 The Directions Policy 2021 - 2023 sets out the process for formulating, approving, issuing and reviewing directions from Dumfries and Galloway Integration Joint Board 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.
- 3.2 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.
- 3.3 Due to Directions being legally binding we must have a robust process around the

	governance of Directions that have been issued to constituent parties and also ensure alignment to the delivery committees of the constituent parties.
3.4	The IJB Policies, Procedures and Guidance are hosted on out the Health and Social Care Partnership website https://dghscp.co.uk/useful-documents . Having established policies and procedures demonstrates competence as a Partnership to provide clear guidance on how the IJB functions and the expectation of members thereof.
3.5	The IJB require ensuring that we fulfil the IJBs remit to the adherence of any regulations or guidance issued by Scottish Ministers. Therefore, taking that into consideration we require to ensure we have all of our IJB Policies, Procedures and Guidance are up to date.
4.	Conclusions
4.1	This paper is to provide assurance to IJB members that we have a robust governance process in place in terms of the recording, monitoring and management of our legally binding Directions.
4.2	A plan to ensure that we have all our IJB policies, procedures and guidance up to date to mitigate any legal and / or risk implications. This will be completed on a cyclical basis at the IJB Audit, Risk and Governance Committee.
5.	Resource Implications
5.1	There is no financial implication associated with this paper.
6.	Impact on Integration Joint Board Outcomes, Priorities and Policy
6.1	All directions are aligned with the IJBs 7 Strategic Commissioning Intentions as set out within the <u>IJB Strategic Commissioning Plan 2022-2025</u>
7.	Legal and Risk Implications
7.1	Directions are legally binding therefore we need to ensure that we have robust governance processes in place not only for the Integrated Joint Board but for the Senior Leadership Team and associated Committees of the constituent parties.
7.2	We require ensuring our Governance policies, procedures and guidance are current and up to date so as to ensure no regulations or guidance is out of date.
7.3	This will mitigate any legal and / or risk implications if any regulations or guidance are out of date, where members may take action or make a decision based on out of date guidance / policies / procedures.
8.	Consultation
8.1	Consultation is at this IJB Audit, Risk and Governance Committee.
9.	Equality Impact Assessment
9.1	There is no requirement to complete an EQIA for this paper as any EQIAs will be completed as part of any Directions as appropriate.

10. Glossary

EQIA	Equalities Impact Assessment
IJB	Integration Joint Board

Governance Procedure (Recording, Monitoring and Management of Directions)

1. The IJB approve to issue a direction at a scheduled Integrated Joint Board, the Governance Officer for the IJB arranges for the Direction to be issued (in letter format, with a copy of the paper used to inform decision-making where appropriate).
2. A Direction letter together with the Direction detail is issued to the either D&G Council, NHS Board or both. This direction letter is sent on behalf of the Chief Officer of the IJB, to either Chief Executive of NHS Board, Chief Executive of the Local Authority or both and saved in the appropriate folder. The Direction Information is added to the Directions Central Database to ensure an accurate record and relevant timeframes for a proposal of delivery recorded.
3. D&G Council and / or NHS Board table new Directions at the first available Full Council and / or NHS Board for members awareness.
4. Once a Direction is received the Chief Executive will meet with the Chief Operating Officer and other Directors to review the detail within the Direction and identify a lead Director to progress (Board Management Team). It is recognised that the majority of the directions will be implemented via the Chief Officer/Chief Operating Officer's team via the HSCP on behalf of the Board / Council.
5. The delegated lead of the Direction will produce a delivery proposal back firstly to the Health and Social Care Leadership Group for prioritisation to either the D&G Council, NHS Board for approval.

5.1 If there is a requirement to undertake a formal approvals process regarding the way in which a Direction will be delivered and therefore provide a proposal for delivery (position paper), the response for implementing each Direction will attempt to capture an impact assessment that covers the following points:

- links with the Tactical Priorities;
 - implications for the Board / Council on the delivery of the direction;
 - resource implications (finance / workforce);
 - risk analysis;
 - timeline for delivery of the direction;
 - estates related points;
 - environmental impact;
 - financial implications; and
 - changes to peoples pathways / clinical implications.
6. The operational delivery of the Direction requires to be monitored via the Health and Social Care Leadership Group then via the appropriate Committees from either party i.e. Social Work Committee, Performance and Resource Committee where the expectation would be for quarterly updates.

7. If there are any identified changes to the delivery of a Direction such as, a change in the proposed model or an extended timeframe, the operational teams must inform the Health and Social Care Leadership Team in the first instance. This will then be directed through the D&G Council / NHS Board and finally to inform the relevant IJB Committee then onto the Integration Joint Board.
8. The Chairs of the Committees will provide regular updates to Full Council and / or NHS Board for assurance or escalation of any issues - quarterly.
9. Following timely updates from Council / NHS committees then assurance on the performance of directions is provided to the IJB Finance, Performance and Quality Committee to then provide assurance to the Integrated Joint Board.
10. A recommendation in letter format to close a Direction due to it being delivered together with an evaluation should be directed through the committee structure of either D&G Council / NHS Board or both, where approval for the direction to be closed should be directed to the IJB Committee then onto the Integration Joint Board.
11. If approval to close Direction from Integration Joint Board then this will be feedback to the Full Council / NHS Board.
12. This information is then fed into the central database to close this off with a record of the letter.

Appendix 2

Policy / Procedure / Guidance	Frequency of Review	Last Review Date	Review Date Recorded on Policy	Comments
IJB Freedom of Information Policy	Every 2 years	January 2022	January 2024	
IJB Members Code of Conduct	Every 2 years	March 2022	March 2024	
IJB Records Management Policy	Annual	July 2020	December 2021 – new date July 2023	This will come for review and approval to the September 2023 Committee – approved
IJB Standing Orders	Every 2 years	November 2018	November 2020 – new date July 2023	This will come for review and approval to the September 2023 Committee - approved
Risk Management Strategy	TBA	TBA	TBA	This requires to be developed as a priority where this will come back to September 2023 Committee. - approved
Directions Policy	Every 2 years	Not been approved previously from records	May 2023	This requires to be developed as a priority where this will come back to September 2023 Committee. Noting that the amendment to the iteration of the policy developed in 2021 will include the procedure for the recording monitoring and management of Directions (as per Appendix 1) - approved
Financial Regulation Guidance	TBA	April 2019	June 2023	This will come for review and approval to the November 2023 Committee
IJB Performance	Every 3 Years	2022	2025	On the Partnership website

Management Framework				
Register of Members Interest	We have sent out documents to all extant and new members of the IJB where the documentation will be loaded up onto the website (last record on the website is 2021)			This will come for assurance to the November 2023 Committee
Complaints Handling Procedure	Last signed off 2021 therefore a requires to be reviewed with the complaints team			This will come for review and approval to the November 2023 Committee
Gifts and Hospitality	Every 2 years	June 2018	June 2020 – new date June 2023	This will come for review and approval to the November 2023 Committee
Integration Scheme				A review of the Integration scheme is underway by the constituent authorities – November 2023 Committee for assurance where engagement has taken place with IJB
Scheme of Delegation to Committee and Officers	Every 2 years	May 2023	May 2025	This was approved at the last Audit, Risk and Governance Committee therefore the website will be updated.
Workforce Plan	Every 3 years	2022	2025	On the Partnership website
Best Value Statement	Every 2 years	June 2021	June 2023	<p>IJB have a statutory duty to make arrangements to secure best value. We are in the process of reviewing the Best Value statement to ensure which was previously completed in June 2021.</p> <p>We shall bring this into the September 2023 Committee. - approved</p>

