



Dumfries and Galloway Integration Joint Board Directions Policy

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Appendix 1 Directions Procedure

1. Purpose and Scope

This policy 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.

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 (the IJB) 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.

The content of Directions should be sufficiently detailed to ensure the intention of the IJB is adequately captured. Directions should include information on the required delivery of the function and the financial resources that are available for carrying out the function. Directions may specify what the Health Board, Local Authority or both are to do in relation to carrying out a particular function. Lack of detail in a direction may cause difficulties in performance monitoring and hamper the effective delivery of the function.

To assist with monitoring and reviewing directions issued, the IJB may seek information from either the Health Board or Local Authority or both about the delivery of a function that is the subject of a direction, including when issues are identified in implementation and delivery of a direction.

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 quarterly 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 Governance Procedure (Recording, Monitoring and Management of Directions)

Introduction

This procedure sets out the process for formulating, approving, issuing, reviewing and closing directions for the Dumfries and Galloway Integration Joint Board to NHS Dumfries and Galloway, Dumfries and Galloway Council or both constituent authorities.

1. 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.
 - a. The final page of the report template (attached at Appendix 1A) provides a standard format for outlining the requirements for each direction to be issued; all sections of this must be completed.
2. 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).
 - a. A Direction letter together with the Direction detail is issued to the either Full 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.
 - b. A Direction impact assessment template will be shared for completion to determine if an implementation plan is required (reference Appendix C).
3. Full 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(s) will meet with the Chief Operating Officer and other Directors to review the detail within the Direction and identify a lead Director and or operational lead to progress. 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 Direction Impact Assessment firstly to the Health and Social Care Leadership Group for prioritisation to either the Full Council, NHS Board for approval, which will determine if a formal implementation plan is to be developed or whether this is a business as usual function.
 - 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:

- What Tactical Priorities are linked to the Direction
 - What are the implications to the NHS Board / Council on the delivery of the Direction
 - What are the resource implications (workforce)
 - Risk analysis
 - Reputational impact
 - Timeframe for delivery
 - Estates related issues
 - Climate related issues
 - Financial affordability
 - Change in care pathways or clinical implications
 - Public consultation and engagement
 - EQIA on the Direction
 - Quantify Impact
 - Linkage to Health and Wellbeing Outcomes
 - Health Inequalities
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. The Chairs of the NHS / Council Committees will provide regular updates to Full Council and / or NHS Board for assurance or escalation of any issues - quarterly.
 8. Following timely updates from Full 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.
 9. 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 Full 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.
 10. If approval to close Direction from Integration Joint Board then this will be feedback in letter form to either the Full Council / NHS Board or both.
 11. This information is then fed into the central database (excel) to close this off with a record of the letter.

Appendix 1A Directions Template

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	<i>This can be either:</i> <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, include detail of which of the National Health and Wellbeing Outcomes these link to, the Priority Areas of Focus as detailed in the Strategic Commissioning Plan, and the Health and Social Care Partnership Tactical Priorities</i>
10.	Performance Monitoring Arrangements including Review	<i>Directions will be reported to the relevant IJB Committee on a quarterly basis. An annual report of all current Directions will be presented to the IJB</i>
11.	Actions	<i>Reviewed quarterly. Must include how progress is being made against our priority</i>

		<i>areas of focus</i>
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Appendix 1B – Direction Impact Assessment

**Integration Joint Board Direction
Impact Assessment**

Direction Title:	
Direction Reference:	
Direction Summary:	
Which of the Tactical Priorities are linked to this Direction?	
What are the implications to the NHS Board on the delivery of the Direction?	
What are the resource implications to the NHS Board? Will a change to the Terms and Conditions of a significant workforce population be required? What staff engagement needs to be undertaken?	
Please describe what risk analysis has been undertaken.	
Do you anticipate any impact on reputational confidence of the public in the NHS through the delivery of the Direction?	
What is timeline for delivery of the Direction?	
Are there any Estates related issues related to the delivery of this Direction?	
Please provide details on the financial affordability of this Direction and whether authorisation of any funding allocation is above the delegated authority of the Chief Executive?	
Will the delivery of the Direction significantly change the care pathways for people or have other clinical implications?	
Does the delivery of this Direction require any public consultation and engagement?	
Has an Equality Impact Assessment been carried out in relation to this Direction? If yes, what date was the assessment undertaken and please include a copy of the completed assessment with this form?	
Quantify Impact	
Linkage to Health and Wellbeing Outcomes	
Health Inequalities	