



REPORT TO: MORAY INTEGRATION JOINT BOARD ON 26 MARCH 2020

SUBJECT: DELEGATED AUTHORITY FOR CHIEF OFFICER

BY: CHIEF OFFICER

1. REASON FOR REPORT

- 1.1. To seek delegated authority from the Moray Integration Joint Board for the Chief Officer for the duration of the COVID-19 epidemic to take decisions that would normally require Board approval.

2. RECOMMENDATION

2.1. It is recommended that the Moray Integration Joint Board (MIJB):

- i) grant delegated authority for the foreseeable future to the Chief Officer or Interim Chief Officer, to take decisions in respect of matters that would normally require Board approval, subject to consultation taking place with the Chair and Vice Chair of the Board, if the Board is unable to meet; and**
- ii) review the delegation of authority to the Chief Officer or Interim Chief Officer within 3 months or as soon as the Board is able to meet again, whichever is sooner.**

3. BACKGROUND

- 3.1. In light of the ongoing Covid-19 pandemic, investigations have been taking place into the Board's business continuity arrangements, including how decisions that require Board approval can be made if the Board is unable to meet as a result of restrictions arising from the pandemic.
- 3.2. It is proposed that delegated authority be granted to the Chief Officer or Interim Chief Officer to take any operational decisions that would normally require Board approval, subject to undertaking consultation with the Chair and Vice Chair of the Board.

- 3.3. This will require to be the subject of ongoing review and normal Board meeting arrangements will be reintroduced as soon as practicable when it is safe to so do so and pandemic restrictions are eased. It is suggested that the delegation of powers be reviewed within 3 months or when the Board is able to meet again, whichever is sooner.
- 3.4. A similar approach is being taken by many other IJBs throughout Scotland.

4. KEY MATTERS RELEVANT TO RECOMMENDATION

- 4.1. The COVID-19 is an unprecedented emergency situation which makes it likely the Board will be unable to meet as scheduled due to Government restrictions and health advice. Decisions regarding health and social care issues will require to continue to be made in order to ensure continuity of care. Given it is not possible to predict with certainty the likely path of the epidemic, it is highly likely that decisions may require to be made in matters which would normally require be made by the Board.
- 4.2. To ensure continuity of service, it is necessary that decisions continue to be able to be made if the Board is unable to meet.

5. SUMMARY OF IMPLICATIONS

(a) Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP)) and Moray Integration Joint Board Strategic Plan “Moray Partners in Care 2019 – 2029”

MIJB has a duty to provide services within its remit. Ensuring that decisions can be made during the epidemic will ensure that services can continue to be provided and decisions continue to made in fulfilment of their obligations.

(b) Policy and Legal

The Chief Officer is employed by the MIJB. Operational responsibilities for the Chief Officer were agreed by MIJB on 10 November 2016, as amended on 29 November 2018 (para 9 of the Minute refers). MIJB has the authority to delegate further powers to the Chief Officer as necessary. There is provision in terms of standing orders, if necessary, to appoint an Interim Officer should the Chief Officer no longer be available to exercise the powers.

(c) Financial implications

None arising from this report

(d) Risk Implications and Mitigation

MIJB requires to ensure continuity of service for the public in their areas of responsibility. Delegating powers to the Chief Officer reduces democratic accountability. Requiring such decisions to be reviewed will mitigate this risk.

(e) Staffing Implications

None arising directly from this report

(f) Property

None arising from this report

(g) Equalities/Socio Economic Impact

None arising from this report

(h) Consultations

The Chief Officer, S95 Officer and the Monitoring Officer have been consulted and their comments have been incorporated within this report.

6. CONCLUSION

- 6.1. The delegation of powers to the Chief Officer, or Interim Chief Officer, is recommended to ensure continuity of service can be maintained if the MIJB is unable to meet.**

Author of Report: Morag Smith

Background Papers:

Ref: