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**REPORT TO: MORAY INTEGRATION JOINT BOARD ON 27 JUNE 2024**

**SUBJECT: MORAY INTEGRATION JOINT BOARD – DIRECTIONS POLICY**

**BY: CHIEF FINANCIAL OFFICER**

**1. REASON FOR REPORT**

1.1 To provide the Moray Integration Joint Board (MIJB) with a Directions policy which has been developed in line with the provisions of the Public Bodies (Joint Working) (Scotland) Act 2014 and statutory guidance issued by Scottish Government.

**2. RECOMMENDATION**

**2.1 It is recommended that the MIJB:**

- i) notes the content of this report, the requirements of the Public Bodies (Joint Working) (Scotland) Act 2014 and the statutory guidance issued by the Scottish Government in relation to Directions; and**
- ii) approves the updated MIJB Directions Policy and Procedures as set out in Appendix 1.**

**3. BACKGROUND**

3.1 The Public Bodies (Joint Working) (Scotland) Act 2014 (the Act) established the legal framework for integrating health and social care in Scotland. The Act required Integration Authorities to develop a Strategic Plan for the integrated functions and budgets delegated by the health board and local authority.

3.2 As a distinct and separate legal entity, the MIJB has full autonomy and capacity to act on its own behalf and can make decisions about its functions and responsibilities as it sees fit. It does this by directing NHS Grampian and Moray Council to act on its behalf.

3.3 In accordance with Sections 26-28 of the Act, MIJB has in place a mechanism to action its Strategic Plan which takes the form of binding Directions to one or both of the Partners.

- 3.4 Directions are the means by which the MIJB informs NHS Grampian and Moray Council of what is to be delivered using the integrated budget in order to achieve the strategic aims outlined in its Strategic Plan. A Direction must be issued in respect of every function that has been delegated to the MIJB. Directions are an obligatory legal mechanism.

#### **4. KEY MATTERS RELEVANT TO RECOMMENDATION**

- 4.1 In February 2019, the Ministerial Strategic Group (MSG) for Health and Community Care published its report on the review of progress with integration. This contained proposals intended to increase the pace and effectiveness of integration. These proposals included the preparation and issue of statutory guidance to support improved practice in issuing and implementing Directions.
- 4.2 The Directions policy and procedure at **Appendix 1** has been reviewed to ensure compliance with the statutory guidance on Directions issued by the Scottish Government in January 2020. It seeks to enhance governance, transparency and accountability between the MIJB and its Partner organisations, NHS Grampian and Moray Council by setting out a clear framework for the setting and review of Directions and confirming adequate governance arrangements. Amendments are showing in red.
- 4.3 There has been no prescribed template for Directions provided by Scottish Government and so this is a matter for MIJB to consider what is appropriate and adequate. The final page of the Directions procedures at **Appendix 1** provides a standard template for outlining the requirements for each direction to be issued.

#### **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 2022 – 2032”**

The delivery of the Strategic Plan is dependent on timely issue of meaningful Directions in order for the Partner organisations to action appropriately.

**(b) Policy and Legal**

The MIJB is, in terms of Section 26 to 28 of the Public Bodies (Joint Working) (Scotland) Act 2014, required to direct NHSG Grampian and Moray Council to deliver services to support the delivery of the Strategic Plan in so far as the functions that have been formally delegated.

**(c) Financial implications**

None arising directly from this report.

**(d) Risk Implications and Mitigation**

The delivery of the Strategic Plan is put at risk should appropriate Directions not be issued. The quality of the Directions are also a factor in ensuring implementation as intended. Close monitoring of Directions and scrutiny by Committee provides reasonable assurance that Directions are being carried out as intended.

**(e) Staffing Implications**

None arising directly from this report

**(f) Property**

None arising directly from this report

**(g) Equalities/Socio Economic Impact**

None arising directly from this report.

**(h) Climate Change and Biodiversity Impacts**

None arising directly from this report.

**(i) Directions**

None arising directly from this report.

**(j) Consultations**

The Chief Officer, Senior Management Team, Corporate Manager of the MIJB and Caroline O'Connor, Committee Services Officer have been consulted. Consultees are in agreement with the content of the report in as far as the scope of their responsibilities.

**6. CONCLUSION**

**6.1 The updated Directions Policy and Procedure are included at Appendix 1.**

Author of Report: Deborah O'Shea, Chief Financial Officer

Background Papers: with author

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