



Moray Integration Joint Board

Directions Policy

<u>Date Created</u>	<u>Date Implemented</u>	<u>Next Review Date</u>
<u>January 2022</u>	<u>July 2024</u>	<u>June 2026</u>

<u>Developed By</u> <u>Chief Financial Officer</u>	<u>Reviewed By</u> <u>Chief Officer</u>	<u>Approved By</u> <u>Moray IJB</u>
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Version	Review date	Approved by MIJB	Summary of Changes
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1.2	June 2024	June 2024	Updates and process included

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~~Appendix A Directions Process Map~~

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1. Introduction

The Public Bodies (Joint Working) (Scotland) Act 2014 places a duty on Integration Authorities to develop a Strategic Plan. Each Integration Authority must produce a strategic commissioning plan that sets out how they will plan and deliver services for their area over the medium and long term using integrated budgets under their control. A mechanism is required to action the strategic commissioning plan. This mechanism takes the form of binding Directions from the Integration Authority to the Health Board (**NHS Grampian**), Local Authority (**Moray Council**) or both. ~~Directions are also a means by which a record is maintained of which body decided what and with what advice, which body is responsible for what in financial or decision making terms. A Direction must be given in respect of every function that has been delegated to the IJB. It must set out how the integrated function is to be exercised and identify the associated budget. The current statutory guidance can be found [here](#).~~

~~This procedure sets out the process for formulating, approving, issuing and reviewing directions for the Moray Integration Joint Board (MIJB) to NHS Grampian and Moray Council. A process map is attached at **Appendix A** of this document, outlining the drivers and actions required to be undertaken.~~

2. Policy Aims

The policy seeks to enhance governance, transparency and accountability between the IJB and its partner organisations, Moray Council and NHS Grampian, by clarifying responsibilities and relationships. The policy has been developed to ensure compliance with Scottish Government statutory guidance on directions.

3. Legislative/ Policy Framework

The Public Bodies (Joint Working) (Scotland) Act 2014 (the Act) states that an Integration Joint Board must give a direction to a constituent authority to carry out each function delegates to the integration authority.

The final report of the Ministerial Strategic Group (MSG) Health and Community Care Review of Progress with Integration, published February 2019, proposed enhanced governance and accountability arrangements.

Revised statutory guidance on directions was finalised by the Scottish Government in January 2020, can be found [here](#). This statutory guidance informed the development of this policy, to ensure it meets key requirements to improve governance, transparency and accountability between partners.

4. Directions

Directions are the legal mechanism by which the MIJB delivers its Strategic Plan, intended to clarify responsibility requirements between partners. Directions are the means by which the IJB directs Moray Council and NHS Grampian on what services are to be delivered using the integrated budget.

When a Direction is presented to the MIJB, the report author must ensure that the content of the Direction includes 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 MIJB outcomes, priorities or policy, and details of consultation where appropriate through the completion of an Equalities Impact Assessment.

Specific directions can be given to NHS Grampian, Moray Council or both depending on the services to be provided. However, directions should not be issued unnecessarily and should be proportionate.

~~—The final page of this policy (**Appendix B**) provides a standard format for outlining the requirements for each direction to be issued; all sections of this must be completed.~~

~~Following approval at the MIJB, a Direction will then be issued by the Chief Officer to the Chief Executive of NHS Grampian, the Chief Executive of Moray Council, or both. This will take the form of an email, together with the MIJB report and the Direction template. Directions should be issued as soon as practically possible following MIJB approval and within 7 days in any case. Each Direction will have a unique identifier and once issued will be entered onto the MIJB Register of Directions.~~

5. Implementation and Monitoring

This policy has been developed in line with the provisions set out in the Public Bodies (Joint Working) (Scotland) Act 2014 and Scottish Government statutory guidance January 2020.

The policy defines what a direction is and is underpinned by the directions procedure, which has been put into place to support the development of new or revised directions.

Directions are informed by a number of factors, including but not limited to:

- Content of the IJB Strategic Plan;
- Specific service redesign or transformation programmes linked to an approved co-produced business case;
- Financial changes or developments (e.g additional funding opportunities, matters relating to set-aside budgets or requirement to implement a recovery plan);
- A change in local circumstances;

- **A fundamental change to practice or operations.**

NHS Grampian and Moray Council are responsible for complying with and implementing all Directions issued by the MIJB. As the issuing of Directions is a legally binding process any concerns/issues with this should be brought to the attention of the MIJB Chief Officer. In the event of non-compliance on an issued Direction, paragraph 18 of the Integration Scheme will be referred to in respect of the Dispute Resolution Mechanism.

A Direction will remain in place until it is varied, revoked or superseded by a later direction in respect of the same functions.

The Audit, Performance and Risk (APR) Committee will review all live Directions on a six monthly basis for assurance of delivery and compliance through an update report. Any resulting concerns should be escalated to the MIJB at the first available opportunity.

~~An annual summary report will be provided to the MIJB on all current Directions.~~

6. Review

This policy will be reviewed every two years by the MIJB, or earlier should the Scottish Government release further guidance that would impact on the policy.

APPENDIX 1



Moray Integration Joint Board

Directions Procedure

<u>Date Created</u>	<u>Date Implemented</u>	<u>Next Review Date</u>
<u>June 2024</u>	<u>July 2024</u>	<u>June 2026</u>

<u>Developed By</u> <u>Chief Financial Officer</u>	<u>Reviewed By</u> <u>Chief Officer</u>	<u>Approved By</u> <u>Moray IJB</u>
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1.1	June 2024	June 2024	Initial Document

1.2			
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1. Introduction

This procedure sets out the process for formulating, approving, issuing and reviewing directions for the Moray Integration Joint Board (MIJB) to issue to partner organisations Moray Council and NHS Grampian. A summary of the procedure is outlined at Appendix A.

2. Formulating Directions

Directions provide the mechanism for delivering the strategic plan, for conveying and enacting the decisions of the IJB, clarifying responsibilities between partners, and improving accountability.

The direction template (Appendix B) will be used to formulate each direction and will be clearly associated with an IJB decision, for example to approve a specific change or to transform a service.

Directions must identify the integrated health and social care function it relates to and include information on the financial resources that are available for carrying out this function and provide information on the delivery requirements.

The Senior Management Team (SMT) currently has responsibility for considering all draft decisions before submission to the IJB and overseeing the delivery of the strategic plan and therefore will play a key role in helping to shape directions.

As directions are formulated at the end of a process of decision-making which has included wider engagement with partners as part of commissioning and co-production, a direction should therefore not come as a surprise to either partner.

As directions will continue to evolve in response to service change/redesign and investment priorities, new or revised directions may be formulated at any point during the year and submitted to the IJB for approval

3. Approving and issuing directions

The IJB is responsible for approving all directions. They will mainly be issued at the start of the financial year. However, in order to provide flexibility and take account of strategic and financial developments and service changes, or a change in local circumstances, directions may be issued at any time, subject to formal approval by the IJB.

All reports to the IJB will identify the implications for directions and will make a clear recommendation regarding the issuing of directions, for example if a new direction is required, or an existing direction is to be varied or revoked.

The detail of the new or revised direction will be appended to the IJB report using the direction template (Appendix B), which provides a standard format for outlining the requirements for each direction to be issued, all sections must be completed and will be submitted to the IJB for approval.

Following approval at the MIJB, a Direction will then be issued by the Chief Officer to the Chief Executive of NHS Grampian, the Chief Executive of Moray Council, or both. This

will take the form of an email, together with the MIJB report and the Direction template. Directions should be issued as soon as practically possible following MIJB approval and within 7 days in any case. Each Direction will have a unique identifier and once issued will be entered onto the MIJB Register of Directions.

4. Implementation and monitoring of directions

NHS Grampian and Moray Council are responsible for complying with and implementing all Directions issued by the MIJB. As the issuing of Directions is a legally binding process any concerns/issues with this should be brought to the attention of the MIJB Chief Officer. In the event of non-compliance on an issued Direction, paragraph 18 of the Integration Scheme will be referred to in respect of the Dispute Resolution Mechanism.

A Direction will remain in place until it is varied, revoked or superseded by a later direction in respect of the same functions.

The Audit, Performance and Risk (APR) Committee will review all live Directions on a six monthly basis for assurance of delivery and compliance through an update report. Any resulting concerns should be escalated to the MIJB at the first available opportunity.

The responsibility for maintaining an overview of directions and ensuring that these reflect strategic needs and priorities sits with the Chief Financial Officer and Chief Officer

5. Performance and Effectiveness Controls

The performance and effectiveness controls will inform the review of directions set by the IJB. The following controls will inform the annual review:

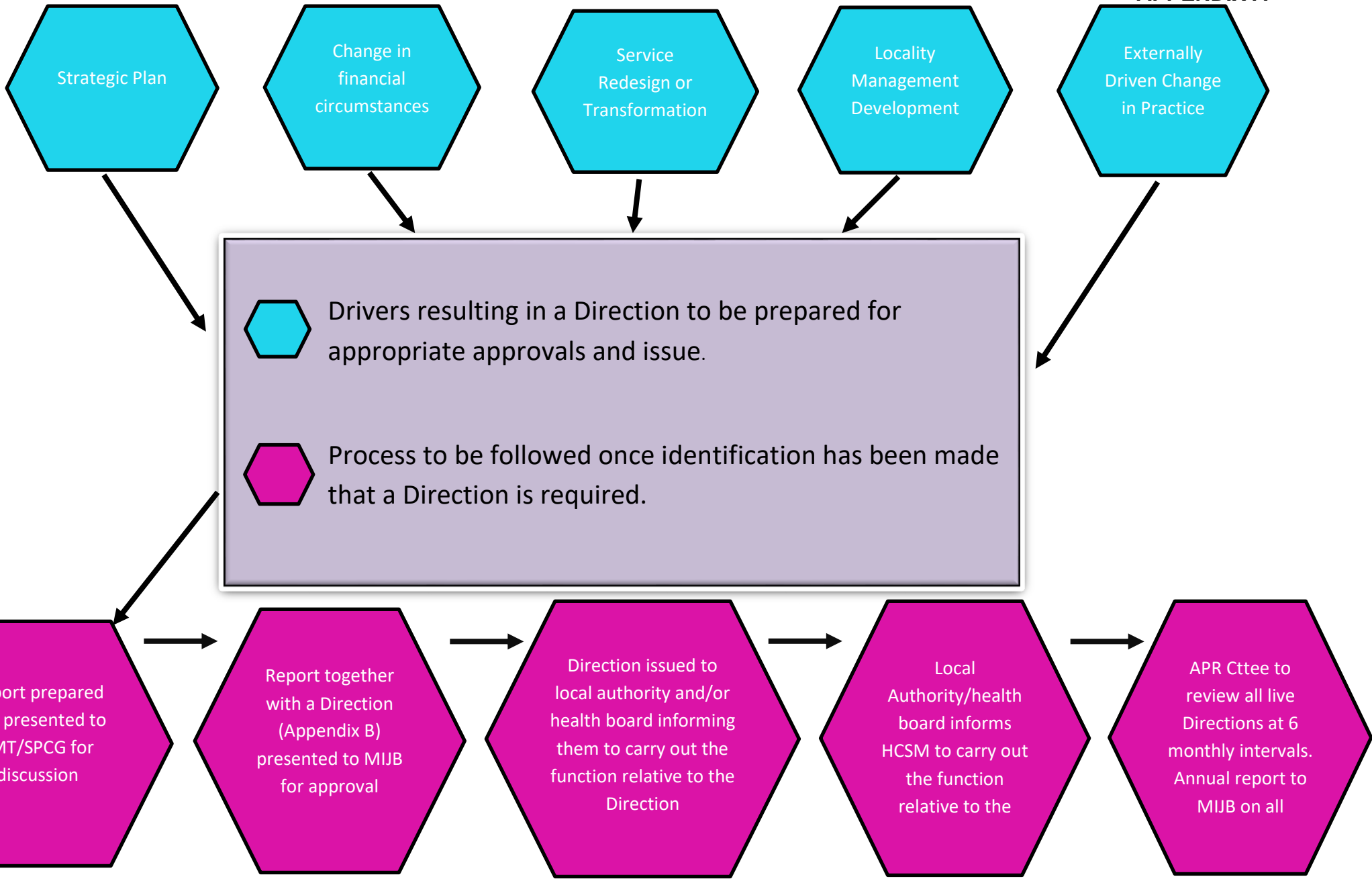
- A policy is in place to define the aims and purpose of directions
- The requirements of the Public Bodies (Joint Working) (Scotland) Act 2014 have been met
- The directions have been clearly stated
- The directions issued comply with the Scottish Government's Statutory Guidance
- The procedure ensures directions clearly align to the Strategic Plan
- The procedure ensures directions are communicated with Moray Council and NHS Grampian, including setting expectations for their completion.
- A procedure is in place to ensure directions are subsequently revised during the year in response to developments and there is a process in place to revoke/supersede previous versions.
- There is a robust process in place for annual reporting and monitoring arrangements, ensuring they are clear and implemented in practice.

Appendices

Appendix A – provides a summary of the process outlined in the direction procedure

Appendix B – provides the Template for formulating and issuing directions

APPENDIX A





MORAY 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>To be provided by Corporate Manager/Support Manager</i>
2.	Date Direction issued by the Moray Integration Joint Board	<i>MIJB meeting date</i>
3.	Effective date of the Direction	<i>Confirmed by the MIJB</i>
4.	Direction to:	NHS Grampian / Moray Council or both
5.	Does the Direction supersede/update a previous Direction? If yes, include the reference number(s) of previous Direction	
6.	Functions covered by Direction	List all e.g. Learning Disabilities, Mental Health, Occupational Therapy etc
7.	Direction Narrative	Outline what you are asking NHS Grampian or Moray Council to deliver
8.	Budget Allocation by MIJB to deliver on the Direction	<i>Financial information must be provided and will the resource be allocated to NHSG, Moray 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 strategic aims of the Strategic Plan</i>

10.	Performance monitoring arrangements and review	<i>Directions will be reviewed by the Audit Performance & Risk Committee on a six monthly basis for assurance. Any concerns should be escalated at the first available opportunity to the MIJB. An annual report of all current Directions will be presented to the MIJB</i>