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**REPORT TO: MORAY INTEGRATION JOINT BOARD ON 28 NOVEMBER 2019**

**SUBJECT: PROPOSED DELEGATION OF SERVICES - UPDATE**

**BY: PAMELA DUDEK, CHIEF OFFICER**

**1. REASON FOR REPORT**

- 1.1. To provide the Board with further information on the process and estimated timeline for the delegation of Children and Families Social Work Services and Criminal Justice Services.

**2. RECOMMENDATION**

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

- i) note the proposal by the Moray Council at its meeting on 25 September 2019 (para 5 of the draft Minute refers) to proceed with the next steps to implementation in the potential delegation of Children and Families Social Work services and Criminal Justice Social Work Services to the MIJB; and**
- ii) take the opportunity to comment on this proposal as part of the process.**

**3. BACKGROUND**

- 3.1. The Public Bodies (Joint Working) (Scotland) Act 2014 provides the legislative framework surrounding the progression of the integration of health and social care services in Scotland.
- 3.2. The MIJB was established as a public body on the 1<sup>st</sup> April 2016 following approval by the Scottish Parliament of the Moray Integration Scheme on the 6<sup>th</sup> February 2016. The Integration Scheme provides the legal framework for the partnership arrangement between Moray Council and Grampian Health board in the delegation of key functions and resources to the MIJB.

- 3.3. The Integration Scheme was reviewed and progressed through due process early 2018. Further functions were delegated as a result of legislative changes at that time and as such the Scheme is relatively up to date.

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

- 4.1. The minimum delegation of services as set out in legislation relates to adult health and social care services, with the ability to delegate further services as the partnership between the Council and Health Board see fit. This arrangement as noted above is reflected and agreed legally via the Moray Integration Scheme.
- 4.2. This proposal has been stimulated by the need for the Moray Council to consider its management arrangements, putting in place a revised management structure that includes the portfolio of the Chief Officer of the Integration Joint Board, seeking to align services in a way that optimises outcomes for the people of Moray.
- 4.3. Social Work resilience and improving outcomes for the children of Moray are key drivers in this decision making. It is considered that a families approach across health and social care has the potential to improve outcomes for children in the same way anticipated and demonstrated in adult services.
- 4.4. It should be noted however that childrens health and social care services do not work in isolation and as such the wider partnership arrangements relating to all partners participating in the Integrated Childrens Services Plan remain paramount to success. The necessary arrangements already exist to support this community planning partnership arrangements through the Executive Leadership Group and Chief Officers Group, bringing together all partners with a stake in improving outcomes for the children of Moray.
- 4.5. Criminal Justice Services also relate well to other adult services, such as mental health and drug and alcohol services. There is an opportunity to align appropriate services through integration, again seeking to improve outcomes for people.
- 4.6. The process of delegation requires the Health Board and Council to agree on the proposed delegation and a paper will go to the NHS Grampian Board on 5 December 2019 and to Moray Council on 27 November 2019, seeking approval in principle to progress to the next steps for implementation in determining delegation of these services, allowing due diligence to be carried out in preparation of final approval.
- 4.7. It should be noted that the agreement articulated through the Integration Scheme is between the Health Board and the Council. The MIJB will participate in the process and through the application of due diligence ensure visibility of the finer detail and the revised Integration Scheme. This will allow a successful and robust transition should the delegation go ahead.
- 4.8. Should the Council and Health Board approve the process to proceed it is anticipated that a period of 12 – 18 months will be required for all the detailed work, relevant approvals and due diligence to be undertaken prior to a report

being submitted to both Health Board and Council for final approval of the delegated services.

- 4.9. There is at present an interim Head of Service in place managing business as usual, tasked with progressing change and supporting the transition. There are significant areas of work to be progressed and these will proceed alongside the process of delegation. The scale of this work should not be underestimated. This is resource intensive and is likely to require short term investment to ensure success. Funding will be sought from the Council transformation fund to assist this, the requirements are currently being determined.
- 4.10. Currently the interim Head of Service is working on improvement and modernisation plans with a view to understanding the future requirements and likely configuration of services within the health and social care landscape. This work is supported by the Moray Council Chief Executive, Chief Social Work Officer and MIJB Chief Officer.
- 4.11. The process requires detailed work in order to inform and update the Integration Scheme, confirmation of the services in scope and to reach agreement around future resource. The Council and Health Board will be updated on progress and make decisions at key points in the process.
- 4.12. The Integration Scheme, once agreed by both Parties (Health Board and Council) will lay before Parliament for final agreement, this process generally takes on average 6 weeks. Subsequently, the functions can then move across to the MIJB.

## **5. SUMMARY OF IMPLICATIONS**

### **(a) Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP)) and Moray Integration Joint Board Strategic Commissioning Plan 2016 – 2019**

This proposal sits consistently with the ambitions of the MIJB Strategic Plan and the Moray Council Corporate Plan and the overall ambitions underpinning Integration of Health and Social Care in Scotland.

### **(b) Policy and Legal**

The implementation of recommendations made in this report will ensure that the Grampian Health Board and Moray Council complies with legal requirements relating to the delegation of service to the integration authority.

### **(c) Financial Implications**

In preparation for the delegation of additional functions to the MIJB it will be necessary for the MIJB to obtain assurance that financial resources are adequate to allow it to carry out the functions and to assess the risks associated with this. The MIJB Chief Financial Officer will work with both the Council Section 95 Officer and the Health Board Director of Finance in establishing the required assurance.

**(d) Risk Implications and Mitigation**

A profile of risks will be established and presented as part of the process.

**(e) Staffing Implications**

As with any transformation and change plan there are implications for staff in how they go about their work and how supported they are within a pressured and changing picture. Staff Side, Unions and Human Resources will be working alongside the leadership team in delivering change observing the associated policies and procedures of the Council and NHS should delegation proceed.

An organisational change steering group and joint workforce forum exists and will support the implementation of the plan should it proceed.

There are also significant staffing issues in regard to the work need to prepare the revised Integration Scheme, if it is to go ahead, which will impact heavily on the Council's legal service and will have implications for the workload of that service.

**(f) Property**

There are no direct property implications however there is an established Infrastructure Programme that has the task of linking with the asset management arrangements of both NHS Grampian and Moray Council to ensure a joined up approach in the estate and enable the priorities and supporting infrastructure for transformation are co-ordinated and prioritised through formal routes.

The MIJB itself does not have those resources delegated and places reliance on the partner bodies processes.

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

At this point there are no requirements to complete an assessment.

**(h) Consultations**

The following have been consulted and are in agreement with the report where it relates to their area of responsibility:

Legal Services Manager, Moray Council  
Senior Solicitor Litigation and Licensing, Moray Council  
Systems Leadership Team, Health and Social Care Moray  
Corporate Management Team, Moray Council  
System Leadership Team, NHS Grampian

## **6. CONCLUSION**

- 6.1. The Moray Council has proposed the delegation of further functions to the MIJB. In line with the legal process, work will commence in preparation of a detailed report for the delegation of Childrens and Families Social Work and Criminal Justice Services to the MIJB with a timescale of completion set for 12 to 18 months.**

Author of Report: Pamela Dudek, Chief Officer

Background Papers: with author

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