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<b>Report To:</b>	<b>Inverclyde Integration Joint Board</b>	<b>Date:</b>	<b>21 September 2020</b>
<b>Report By:</b>	<b>Louise Long, Corporate Director (Chief Officer), Inverclyde Health &amp; Social Care Partnership</b>	<b>Report No:</b>	<b>VP/LP/094/20</b>
<b>Contact Officer:</b>	<b>Vicky Pollock</b>	<b>Contact No:</b>	<b>01475 712180</b>
<b>Subject:</b>	<b>Inverclyde Integration Joint Board - Directions</b>		

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## **1.0 PURPOSE**

- 1.1 The purpose of this report is to provide the Inverclyde Integration Joint Board (IJB) with a new Directions policy which has been developed in line with the provisions of the Public Bodies (Joint Working) (Scotland) Act 2014 and statutory guidance from the Scottish Government.

## **2.0 SUMMARY**

- 2.1 The existing IJB policy on directions dates from August 2016 and has not been reviewed or updated since this time.
- 2.2 The Directions policy at Appendix 1 has been developed 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 IJB and its partner organisations – Inverclyde Council and NHS Greater Glasgow and Clyde - by setting out a clear framework for the setting and review of Directions and confirming governance arrangements. It also implements the actions contained within the agreed action plan made by Internal Audit in respect of the IJB's use of Directions from the 2018/19 audit of IJB Directions.

## **3.0 RECOMMENDATIONS**

- 3.1 It is recommended that the Inverclyde Integration Joint Board:
- 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 January 2020 in relation to Directions; and
  - Approves the IJB Directions Policy and Procedure and IJB Directions template set out in Appendices 1, 2 and 3 of this report.

## 4.0 BACKGROUND

- 4.1 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 integrate strategic planning and service provision arrangements, and develop a Strategic Plan for the integrated functions and budgets delegated by Health Boards and Local Authorities.
- 4.2 Inverclyde IJB was established as a separate legal entity in 2015. The IJB has the full autonomy and capacity to act on its own behalf and so can make decisions about its function and responsibilities as it sees fit. The IJB then directs NHS Greater Glasgow and Clyde and Inverclyde Council to act on its behalf.
- 4.3 The Inverclyde Health and Social Care Partnership (HSCP) published its Strategic Plan 2019 – 24 in April 2019 and associated Six Big Actions setting out how it will plan for and delivery services for the area over the medium term, using delegated integrated budgets under its control, to drive forward transformational change.
- 4.4 In line with Sections 26 to 28 of the Act, Inverclyde IJB has in place a mechanism to action its Strategic Plan, and this mechanism takes the form of binding directions from the IJB to one or both of NHS Greater Glasgow and Clyde and Inverclyde Council.
- 4.5 Directions are the means by which the IJB tells the Health Board and the Council what is to be delivered using the integrated budget, and for Inverclyde IJB to improve the quality and sustainability of care, as outlined in its Strategic Plan and in support of transformational change. A direction must be given in respect of every function that has been delegated to the IJB. Directions are a legal mechanism, the use of directions is not optional for IJBs, Health Boards or Local Authorities, it is obligatory.
- 4.6 Directions are a key aspect of governance and accountability between partners. Nationally, this has previously been unrecognised, with the effect that there is a lack of transparency, governance and accountability for integrated functions that are under the control of IJBs, and delivered by Health Boards and Local Authorities.
- 4.7 The Ministerial Strategic Group for Health and Community Care (MSG) published its report on the review of progress with integration (February 2019). This contained 25 proposals intended to increase the pace and effectiveness of integration, and one of the proposals was that statutory guidance on directions would be published to support improved practice in issuing and implementing directions.
- 4.8 The Directions policy at Appendix 1 has been developed 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 IJB and its partner organisations – Inverclyde Council and NHS Greater Glasgow and Clyde - by setting out a clear framework for the setting and review of Directions and confirming governance arrangements.
- 4.9 Inverclyde IJB has, since 2016, issued high level directions which are continually reviewed as part of the IJB Chief Financial Officer’s regular financial reporting and this practice will continue. The updated Directions policy, together with the associated Directions procedure (Appendix 2) will provide the IJB with an effective method of issuing and monitoring directions.
- 4.10 The key elements of the new direction policy are:
  - i. Enhanced governance arrangements to ensure that directions are clearly associated with an IJB decision, with clear roles and responsibilities defined.
  - ii. A focus on delivering change by ensuring that directions are formulated or revised at any point during the year in response to service redesign, transformation and financial developments.
  - iii. A clear statement in respect of partner responsibilities around the implementation of directions.

- iv. Enhanced performance monitoring arrangements including the development of a directions log.
- v. A commitment to reviewing the directions policy every two years or sooner in the event of new guidance or good practice becoming available.

## 5.0 FORMAT OF DIRECTIONS

- 5.1 No template or model for Directions has been prescribed by the Scottish Government. The format of Directions is therefore a matter for each individual IJB, subject to the requirements detailed in the Act and the statutory guidance. A revised template for IJB Directions is attached at Appendix 3. It ensures consistency with the templates used by other IJBs in the NHS GG&C area and completion of the template will ensure that Directions issued by the IJB comply with the statutory requirements.
- 5.2 A Directions log will be established and will be maintained and updated by the Council's Legal Services.
- 5.3 Subject to IJB approval, the new policy will be implemented by the end of September 2020 and will be reviewed every 2 years.

## 6.0 PROPOSALS

- 6.1 It is proposed that the IJB agree the Directions Policy and Procedure and Directions template set out at Appendices 1, 2 and 3 of this report.

## 7.0 IMPLICATIONS

### Finance

- 7.1 There are no financial implications arising from this report.

#### Financial Implications:

#### One Off Costs

Cost Centre	Budget Heading	Budget Years	Proposed Spend this Report	Virement From	Other Comments
N/A	N/A	N/A	N/A	N/A	N/A

#### Annually Recurring Costs/ (Savings)

Cost Centre	Budget Heading	With Effect from	Annual Net Impact	Virement From (if Applicable)	Other Comments
N/A	N/A	N/A	N/A	N/A	N/A

### Legal

- 7.2 The IJB is, in terms of Sections 26 to 28 of the Public Bodies (Joint Working) (Scotland) Act 2014, required to direct Inverclyde Council and NHS Greater Glasgow and Clyde to deliver services to support the delivery of the Strategic Plan.

### Human Resources

- 7.3 There are no HR implications arising from this report.

### Equalities

- 7.4 There are no equality issues within this report.

7.4.1 Has an Equality Impact Assessment been carried out?

	YES (see attached appendix)
X	NO – This report does not introduce a new policy, function or strategy or recommend a change to an existing policy, function or strategy which has a differential impact on any of the protected characteristics. Therefore, no Equality Impact Assessment is required.

7.4.2 How does this report address our Equality Outcomes

There are no Equalities Outcomes implications within this report.

Equalities Outcome	Implications
People, including individuals from the above protected characteristic groups, can access HSCP services.	None
Discrimination faced by people covered by the protected characteristics across HSCP services is reduced if not eliminated.	None
People with protected characteristics feel safe within their communities.	None
People with protected characteristics feel included in the planning and developing of services.	None
HSCP staff understand the needs of people with different protected characteristic and promote diversity in the work that they do.	None
Opportunities to support Learning Disability service users experiencing gender based violence are maximised.	None
Positive attitudes towards the resettled refugee community in Inverclyde are promoted.	None

**Clinical or Care Governance**

7.5 There are no clinical or care governance issues within this report.

**National Wellbeing Outcomes**

7.6 How does this report support delivery of the National Wellbeing Outcomes  
There are no National Wellbeing Outcomes implications within this report.

National Wellbeing Outcome	Implications
People are able to look after and improve their own health and wellbeing and live in good health for longer.	None
People, including those with disabilities or long term conditions or who are frail are able to live, as far as reasonably practicable, independently and at home or in a homely setting in their community	None
People who use health and social care services have positive experiences of those services, and have their dignity respected.	None
Health and social care services are centred on helping to maintain or improve the quality of life of people who use those services.	None
Health and social care services contribute to reducing health inequalities.	None
People who provide unpaid care are supported to look	None

after their own health and wellbeing, including reducing any negative impact of their caring role on their own health and wellbeing.	
People using health and social care services are safe from harm.	None
People who work in health and social care services feel engaged with the work they do and are supported to continuously improve the information, support, care and treatment they provide.	None
Resources are used effectively in the provision of health and social care services.	None

## 8.0 DIRECTIONS

8.1	<b>Direction Required to Council, Health Board or Both</b>	Direction to:	
		1. No Direction Required	X
		2. Inverclyde Council	
		3. NHS Greater Glasgow & Clyde (GG&C)	
		4. Inverclyde Council and NHS GG&C	

## 9.0 CONSULTATIONS

8.1 The Corporate Director (Chief Officer), Chief Financial Officer and Chief Internal Auditor have been consulted in the preparation of this report.

## 10.0 BACKGROUND PAPERS

10.1 Link to Scottish Government Statutory Guidance on Directions:  
<https://www.gov.scot/publications/statutory-guidance-directions-integration-authorities-health-boards-local-authorities/>



**INVERCLYDE INTEGRATION JOINT BOARD**

**DIRECTIONS POLICY**

**SEPTEMBER 2020**

**DOCUMENT CONTROL**

<b>Document Responsibility</b>		
<b>Name</b>	<b>Title</b>	<b>Service</b>
IJB Standards Officer	IJB Directions Policy	Legal & Property Services

<b>Change History</b>		
<b>Version</b>	<b>Date</b>	<b>Comments</b>
1.0	September 2020	Approved by IJB - TBC

<b>Policy Review</b>		
<b>Review Date</b>	<b>Person Responsible</b>	<b>Service</b>
September 2022	IJB Standards Officer	Legal & Property Services

## **Directions Policy**

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## **1 Introduction**

- 1.1 Inverclyde Health and Social Care Partnership (HSCP) has a duty to develop a strategic plan for integrated functions and budgets under its control. Integrated Authorities require a mechanism to action the strategic plans and this mechanism takes the form of binding directions from the Integration Joint Board to one or both of the Health Board (NHS Greater Glasgow and Clyde) and Local Authority (Inverclyde Council).

## **2 Policy Aims**

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

## **3 Legislative/Policy Framework**

- 3.1 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 delegated to the integration authority.
- 3.2 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.
- 3.3 Revised statutory guidance on directions was finalised by the 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 partners.

## **4 Definition and Purpose of Directions**

- 4.1 Directions are a legal mechanism intended to clarify responsibility requirements between partners. Directions are the means by which the IJB directs Inverclyde Council and NHS Greater Glasgow and Clyde on what services are to be delivered using the integrated budget - (i.e. the budget which is allocated to the IJB and for which the IJB is responsible).
- 4.2 Directions must be given in respect of functions that have been delegated to the IJB. They must provide sufficient detail to enable Inverclyde Council and NHS Greater Glasgow and Clyde to discharge their statutory duties under the Act.
- 4.3 Specific directions can be given to NHS Greater Glasgow and Clyde, Inverclyde Council or both depending on the services to be provided. However, directions should not be issued unnecessarily and should be proportionate.
- 4.4 A direction will stand until it is revoked, varied or superseded by later direction in respect of the same function.
- 4.5 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 strategic plan priorities.

## **5 Policy Implementation**

- 5.1 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.
- 5.2 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.
- 5.3 Directions are informed by a number of factors, including but not limited to:
  - i. Content of the IJB Strategic Plan;
  - ii. Specific service redesign or transformation programmes linked to an approved co-produced business case;
  - iii. Financial changes or developments (e.g. additional funding opportunities, matters relating to set-aside budgets or requirement to implement a recovery plan);
  - iv. A change in local circumstances; and
  - v. A fundamental change to practice or operations.

## **6 Review of policy**

- 6.1 This Directions Policy will be reviewed every two years or sooner in the event of new guidance or good practice becoming available.

### **Background reading / reference documents**

- Public Bodies (Joint Working) (Scotland) Act 2014
- Good Practice Note: Directions from Integration Authorities to Health Boards and Local Authorities (The Scottish Government, March 2016)
- Ministerial Strategic Group (MSG) Health and Community Care Review of Progress with Integration
- Statutory Guidance: Directions from Integration Authorities to Health Boards and Local Authorities (The Scottish Government, January 2020)



**INVERCLYDE INTEGRATION JOINT BOARD**

**DIRECTIONS PROCEDURE**

**SEPTEMBER 2020**

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## DOCUMENT CONTROL

<b>Document Responsibility</b>		
<b>Name</b>	<b>Title</b>	<b>Service</b>
IJB Standards Officer	IJB Directions Procedure	Legal & Property Services

<b>Change History</b>		
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September 2022	IJB Standards Officer	Legal & Property Services

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## **Directions Procedure**

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## **Integration Joint Board Directions Procedure**

### **1 Introduction**

- 1.1 This procedure sets out the process for formulating, approving, issuing and reviewing directions for the Inverclyde Integration Joint Board (IJB) to issue to partner organisations Inverclyde Council (IC) and NHS Greater Glasgow and Clyde (NHSGCC). A summary of the procedure is outlined at Appendix A.

### **2 Formulating Directions**

- 2.1 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.
- 2.2 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.
- 2.3 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.
- 2.4 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.
- 2.5 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.
- 2.6 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**

- 3.1 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.
  - 3.2 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.
  - 3.3 The detail of the new or revised direction will be appended to the IJB report using the direction template (Appendix B), following the direction reference naming convention and will be submitted to the IJB for approval.
  - 3.4 Once approved, written directions and the associated report will be emailed, within 7 days of IJB approval, by the Chief Officer, on behalf of the IJB, to the Chief Executives of either or both partner organisations (NHSGGC and IC). Chief Executives will be asked to acknowledge receipt of directions.
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## **4 Implementation and monitoring of directions**

- 4.1 IC and NHSGCC are responsible for complying with and implementing the IJB's directions. Should either partner experience difficulty in implementing a direction, or require further detail regarding expectations, this should be brought to the attention of the Chief Officer in the first instance.
- 4.2 The Chief Officer will ensure that all directions are reviewed annually through the work of the IJB Audit Committee and IJB.
- 4.3 The IJB's Audit Committee will assume responsibility for maintaining an overview of progress with the implementation of directions, requesting a mid-year progress report, and escalating key delivery issues to the IJB.
- 4.4 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
- 4.5 A direction log has been developed which includes the function(s) covered, direction reference number, and date of issue, identification of which delivery partner is issued with the direction and the total resource committed. This log will be used to monitor and report progress on the delivery of each direction.
- 4.6 Recommendations for variation, closure and new directions will mainly be brought to the IJB at the start of each financial year. However it is expected that new directions will be brought forward throughout the year to reflect strategic developments and service transformation

## **5 Performance and Effectiveness Controls**

- 5.1 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 IC and NHSGCC, 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.
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## **Appendices**

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

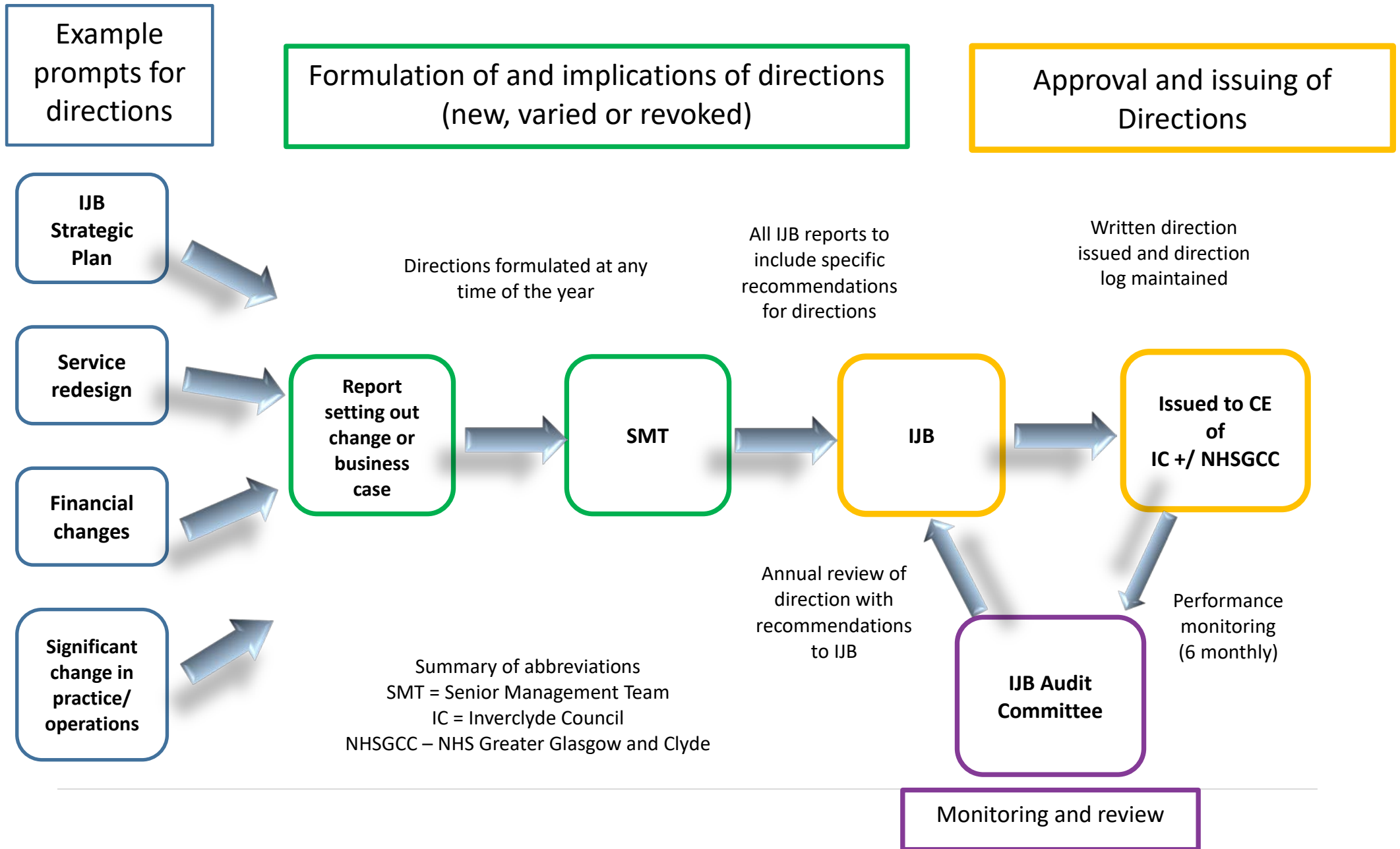
Appendix B provides the Template for formulating and issuing direction(s).

## **Background reading / reference documents**

- Public Bodies (Joint Working) (Scotland) Act 2014
  - Good Practice Note: Directions from Integration Authorities to Health Boards and Local Authorities (The Scottish Government, March 2016)
  - Ministerial Strategic Group (MSG) Health and Community Care Review of Progress with Integration
  - Statutory Guidance: Directions from Integration Authorities to Health Boards and Local Authorities (The Scottish Government, January 2020)
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## Appendix A – Summary of Procedure



## Appendix B - Directions Template.



## INVERCLYDE INTEGRATION JOINT BOARD

## DIRECTION ISSUED UNDER S26-28 OF THE PUBLIC BODIES (JOINT WORKING) (SCOTLAND) ACT 2014

1	Reference number	<i>Date of IJB Meeting-Agenda item number e.g. IJB/51/2020/LL</i>
2	Report Title	<i>Title of report to IJB</i>
3	Date direction issued by IJB	<i>Date of IJB meeting</i>
4	Date from which direction takes effect	<i>Date determined by IJB, cannot pre-date the meeting where the direction is made</i>
5	Direction to:	Inverclyde Council only NHS Greater Glasgow and Clyde only Inverclyde Council and NHS Greater Glasgow and Clyde jointly <i>(delete as appropriate)</i>
6	Does this direction supersede, revise or revoke a previous direction – if yes, include the reference number(s)	No Yes (reference number:_____) Supersedes / Revises / Revokes <i>(delete as appropriate)</i>
7	Functions covered by direction	<i>List all functions subject to direction, e.g. Residential Care for Older People, Occupational Therapy, Mental Health Services etc.</i>
8	Full text of direction	<i>Outline clearly what the IJB is directing the Council, Health Board or both to do.</i>  <i>The level of specificity is a matter of judgement to be determined by the IJB in relation to each Direction.</i>

9	Budget allocated by IJB to carry out direction	<i>State the financial resources allocated to enable the Council, Health Board or both to carry out the direction. Where the direction relates to multiple functions or care groups, the financial allocation for each need to be specified/listed. The Direction will specify any savings to be made.</i>
10	Outcomes	<i>Detail of what the Direction is intended to achieve. What is the link to the Strategic Plan and the National Health and Wellbeing Outcomes.</i>
11	Performance monitoring arrangements	In line with the agreed Performance Management Framework of the Inverclyde Integration Joint Board and the Inverclyde Health and Social Care Partnership. This Direction will be monitored and progress reported bi-annually. <i>(use alternative text if different arrangements in place)</i>
12	Date direction will be reviewed	<i>Date, no more than 1 year in the future</i>

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**INVERCLYDE INTEGRATION JOINT BOARD  
DIRECTION ISSUED UNDER S26-28 OF THE PUBLIC BODIES (JOINT WORKING) (SCOTLAND) ACT 2014**

1	Reference number	<i>Date of IJB Meeting-Agenda item number e.g. IJB/51/2020/LL</i>
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10	Outcomes	<i>Detail of what the Direction is intended to achieve. What is the link to the Strategic Plan and the National Health and Wellbeing Outcomes.</i>

11	Performance monitoring arrangements	In line with the agreed Performance Management Framework of the Inverclyde Integration Joint Board and the Inverclyde Health and Social Care Partnership. This Direction will be monitored and progress reported bi-annually. <i>(use alternative text if different arrangements in place)</i>
12	Date direction will be reviewed	<i>Date, no more than 1 year in the future</i>