



Item No. 5

Meeting Date Tuesday, 10th May 2016

Glasgow City Integration Joint Board

Report By: Chief Officer, Finance and Resources
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DIRECTIONS FROM INTEGRATION JOINT BOARD TO COUNCIL AND HEALTH BOARD

Purpose of Report:	The purpose of this paper is to outline the requirements the Public Bodies (Joint Working)(Scotland) Act 2014 places on the Glasgow City Integration Joint Board to make directions to the Council and Health Board, and to propose a standard format for the Glasgow City Integration Joint Board's directions to both delivery bodies.
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Recommendations:	<p>The Integration Joint Board is asked to:</p> <ul style="list-style-type: none"> • Note this report • Agree the draft template for directions from the Glasgow City Integration Joint Board to the Council and Health Board
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Implications for IJB:

Financial:	Directions must include the budget allocation made available to the Council or Health Board to deliver the relevant function(s)
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Personnel:	None
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Legal:	The Integration Joint Board is required to direct the Council and Health Board to deliver services to support delivery of the Strategic Plan
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Economic Impact:	None
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Sustainability:	None
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Sustainable Procurement and Article 19:	None
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Equalities:	None
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Implications for Glasgow City Council:	The Council must comply with a Direction from the Integration Joint Board
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Implications for NHS Greater Glasgow & Clyde:	The Health Board must comply with a Direction from the Integration Joint Board
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1. Purpose

- 1.1 The purpose of this paper is to outline the requirements the Public Bodies (Joint Working)(Scotland) Act 2014 places on the Glasgow City Integration Joint Board to make directions to the Council and Health Board, and to propose a standard format for the Glasgow City Integration Joint Board’s directions to both delivery bodies.

2. Background

- 2.1 The Public Bodies (Joint Working)(Scotland) Act 2014 (“the Act”) places a duty on Integration Authorities to develop a Strategic Plan for the functions and budgets under their control.
- 2.2 Integration Authorities require a mechanism to action their Strategic Plans. This mechanism takes the form of legally binding directions from the Integration Authority to one or both of the Local Authority and Health Board. Sections 26 to 28 of the Act lay out the legislative framework within which Directions are made.
- 2.3 The Scottish Government have produced a Good Practice note – which does not constitute statutory guidance – for Integration Authorities with regard to Directions, which is available on the Scottish Government’s website at <http://www.gov.scot/Publications/2016/03/5248> .
- 2.4 The Act distinguishes between matters which “must” and which “may” be included within Directions. For clarity, these terms are highlighted in bold font throughout this report.

3. Legislative Requirements

- 3.1 Directions **must** set out how each integrated health and social care function is to be exercised, and the budget associated with that function.
- 3.2 Directions **must** be in writing. Directions **may** also vary or revoke other directions previously given to the Council, Health Board or both.
- 3.3 Section 27(4) of the Act prescribes that the Council and Health Board **must** comply with any direction from the Integration Joint Board. There is no provision by which the Council or Health Board can appeal, ignore, amend or veto any direction given.
- 3.4 Where the Integration Joint Board directs both the Council and Health Board to carry out a function, it **may** direct that the function is carried out:
 - Wholly and jointly by the Council and Health Board
 - With specific aspects of the functions carried out by one of the Council or Health Board, as specified in the direction
 - With specific direction as to what both the Council and Health Board must do in relation to carrying out the function
- 3.5 Directions from the Integration Joint Board **may** also prescribe the manner in which the function is to be carried out, to whatever level of specificity the Integration Joint Board sees fit. The exercise of each function can for example be described in terms of delivery of services, achievement of outcomes, or by reference to the Strategic Plan
- 3.6 The Integration Joint Board **may** direct the Health Board to use a portion of the “set aside” budget to carry out a function delegated to the Integration Joint Board for which said budget has been set aside by the Health Board. If the Health Board does not use all of the amount specified within the direction, the Integration Joint Board **may** request that the Health Board pay the balance to the Integration Joint Board. If the Health Board requires more resource to deliver the function than allocated in the direction, it **may** require the Integration Joint Board to reimburse the difference.

4. Format of Directions

- 4.1 No template or model text for directions has been published by the Scottish Government, and none is in development. The format of directions is therefore a matter for local determination, subject to the legislative requirements outlined in section 3.
- 4.2 A draft template for directions from the Glasgow City Integration Joint Board to the Council and Health Board is appended to this report.

Completion of this template will ensure that directions from the Integration Joint Board comply with statutory requirements.

5. Recommendations

5.1 The Integration Joint Board is asked to:

- Note this report
- Agree the draft template for directions from the Glasgow City Integration Joint Board to the Council and Health Board

Appendix 1 – Draft Template for Directions from Glasgow City Integration Joint Board

DIRECTION FROM THE GLASGOW CITY INTEGRATION JOINT BOARD

1	Reference number	<i>Proposed format of: IJB date-paper number-letter reference eg 210316-5-a</i>
2	Date direction issued by Integration Joint Board	<i>Date of IJB meeting</i>
3	Date from which direction takes effect	<i>Date determined by IJB, cannot pre-date the meeting where the direction is made</i>
4	Direction to:	Glasgow City Council only – NHS Greater Glasgow and Clyde only – Glasgow City Council and NHS Greater Glasgow and Clyde jointly <i>(delete as appropriate)</i>
5	Does this direction supersede, amend or cancel a previous direction – if yes, include the reference number(s)	No Yes (reference number:_____) <i>(delete as appropriate)</i>
6	Functions covered by direction	<i>List all functions subject to direction, eg Residential Care for Older People, Occupational Therapy, Mental Health Services etc</i>
7	Full text of direction	<i>Outline clearly what the IJB is directing the Council, Health Board or both to do. Level of specificity is a matter of judgement to be determined locally.</i>
8	Budget allocated by Integration Joint Board 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 should be listed</i>
9	Desired outcomes	<i>Detail of what the direction is intended to achieve. Should link to Strategic Plan and the National Health and Wellbeing Outcomes</i>
10	Performance monitoring arrangements	In line with the agreed Performance Management framework of the Glasgow City Integration Joint Board and the Glasgow City Health and Social Care Partnership. <i>(use alternative text if different arrangements in place)</i>
11	Date direction will be reviewed	<i>Date, no more than 1 year in the future</i>