



Item No. 4a

Meeting Date Friday 24th June 2016

Glasgow City Integration Joint Board

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DIRECTIONS FROM INTEGRATION JOINT BOARD TO COUNCIL AND HEALTH BOARD

Purpose of Report:	To update on a point of clarification on the nature of Directions, as requested by the Integration Joint Board at its meeting on 10 May 2016
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Recommendations:	The Integration Joint Board is asked to note this report and in the absence, at this stage, of consideration by other IJBs and Chief Officers, agree to the interim implementation of the template presented on 10 th May to take account of all Directions by Glasgow City IJB from 1 st April.
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Implications for IJB:

Financial:	As noted in previous report
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Personnel:	As noted in previous report
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Legal:	As noted in previous report
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Economic Impact:	As noted in previous report
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Sustainability:	As noted in previous report
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Sustainable Procurement and Article 19:	As noted in previous report
Equalities:	As noted in previous report
Implications for Glasgow City Council:	As noted in previous report
Implications for NHS Greater Glasgow & Clyde:	As noted in previous report

1. Purpose

- 1.1 The purpose of this report is to update on a point of clarification on the nature of Directions, as requested by the Integration Joint Board at its meeting on 10 May 2016.

2. Background

- 2.1 The Integration Joint Board reviewed a paper at its 10 May 2016 meeting, 'Item 5 - Directions to Health Board and Council' which is appended to this report. Members requested clarification as to a statement made at point 3.5 that:

*“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.”*

- 2.2 Members requested that the legislation and guidance be reviewed and confirmation given as to the accuracy of the above statement.
- 2.3 The Chief Officer was also instructed to discuss the draft Directions paper with Chief Officers from the five other HSCPs within the health Board area with a view to developing a consistent approach to the use of a Directions template.

3. Update

- 3.1 The Public Bodies (Joint Working)(Scotland) Act 2014, section 27 states that:

“a direction made under section 26...may regulate the manner in which the function is to be carried out”

- 3.2 The Act places no restrictions or limitations on that provision, so the point at 3.5 in the 10 May 2016 paper that the Integration Joint Board

may prescribe the manner in which a function is to be carried out, to whatever level it sees fit, is correct. It is a matter for local determination by the Integration Joint Board as to how specific they wish to be in making directions relating to those functions within their control.

3.3 In relation to 2.3 above, Chief Officers within the Health Board considered the paper at their meeting on 26th May and agreed to consider the matter within their own IJBs and the matter has therefore been continued within the Chief Officers network.

4. Recommendation

4.1 The Integration Joint Board is asked to note this report and in the absence, at this stage, of consideration by other IJBs and Chief Officers, agree to the interim implementation of the template presented on 10th May to take account of all Directions by Glasgow City IJB from 1st April.