

**Angus Integration Joint Board
Directions Policy and Procedure
August 2022**

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Introduction

Angus Integration Joint Board (IJB) is public body constituted under an Integration Scheme, a legal agreement between Angus Council and NHS Tayside Board. The Integration Scheme sets out the functions which are delegated by the Council and the NHS to the Integration Joint board.

[The Public Bodies \(Joint Working\) \(Scotland\) Act 2014](#) places a range of duties on the Integration Joint Board, this includes a duty to develop a strategic plan for integrated functions and budgets under its control for which they have published [statutory guidance](#).

The IJB's strategic commissioning plan sets out how they will plan and deliver services for Angus over the medium term, using the integrated budget under their control. Stakeholders must be fully engaged in the preparation, publication and review of the strategic commissioning plan, in order to establish a meaningful co-production approach, to enable the IJB to deliver the national outcomes for health and wellbeing and achieve the integration delivery principles set out in the Act.

The IJB requires to direct Angus Council and/or NHS Tayside on how the delegated functions are to be delivered to action their strategic plan. This includes identifying what funding will be available for the delivery of those functions and how services will operate and change to deliver the Integration Delivery Principles and national health and wellbeing outcomes. Written Directions are legally binding and are the mechanism used by an IJB to issue those instructions. Directions are legally binding and must be implemented by the Council and the NHS. Updated [Guidance](#) on Directions was produced by the Scottish Government in March 2020.

Directions are also the means by which a record is maintained of which body decided what, who is responsible and which body should be audited whether in financial or decision-making terms. A direction must be given in respect of every function that is delegated. This includes each IJB providing Directions in relation to those functions associated with Lead Partner services which may be coordinated by the Chief Officer of another IJB in Tayside, functions relating to acute inpatient services and function associated with inpatient mental health, learning disability and drug and alcohol services which are operationally managed by other Senior Managers in NHS Tayside.

1 DIRECTIONS POLICY

This Directions policy seeks to enhance governance, transparency and accountability between the IJB, Angus Council and NHS Tayside, by clarifying responsibilities and relationships.

Angus IJB will:

- Consider whether a direction is required in respect of every report it considers
- Recognise that a direction is the end point of a process of decision making by the IJB
- Ensure that collaboration with NHS Tayside and Angus Council is undertaken in respect of all service developments so that any direction does not include surprising or unknown information
- Ensure that decisions about service redesign, change and improvement include engagement with stakeholders
- Ensure that each direction includes instruction on what is to be done, the desired outcome, how it relates to the Strategic Plan, what delegated functions are being directed and the resources available to achieve the intended outcome
- Monitor the implementation of directions
- Issue new direction when further or different action is required

Appendix A provides the framework for a written direction.

1.1 Legislative Framework for Directions

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

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 which could only be delivered through improvements in Directions.

Revised statutory guidance on directions was published by the Scottish Government in March 2020. This statutory guidance informed the development of this policy, to ensure it meets key requirements to improve governance, transparency and accountability between partners.

1.2 Definition and Purpose of Directions

Directions are a legal mechanism intended to clarify responsibility requirements between partners. Directions are the means by which the IJB directs Angus Council and NHS Tayside on what services are to be delivered using the integrated budget as outlined in its strategic commissioning plan (i.e. the budget which is allocated to the IJB and for which the IJB is responsible). The Direction may also include requirement from the IJB in respect of improvements in the quality and sustainability of care.

Directions must be given in respect of every function that has been delegated to the IJB. They must provide sufficient detail to enable Angus Council and NHS Tayside to discharge their statutory duties under the Act.

Specific directions can be given to Angus Council, NHS Tayside or both organisations depending on the services to be provided. Directions should not be issued unnecessarily and must be proportionate.

The legislation does not set out fixed timescales for Directions. A direction will stand until it is revoked, varied or superseded by later Direction in respect in the same function.

In summary, the purpose of Directions is to set a clear framework for the operational delivery of the functions that have been delegated to Angus 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.

Directions are binding, which is why they come at the end point of a process of planning and decision making. Angus Council and/or NHS Tayside are required to comply with all Directions received from the IJB, and the law is clear that the Council and the NHS may not amend, ignore, appeal or veto any direction. Neither Angus Council or NHS Tayside may use resources allocated in a Direction in pursuit of any other purpose than that intended. A mature and collaborative approach to the planning and delivery of change in health and social care services that delivers sustainability is therefore required. Directions are designed to help local partners improve the quality and outcomes for local populations.

1.3 Policy Implementation and monitoring

Directions are required in a number of situations, 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;
- Significant financial changes or developments;
- A change in local circumstances; and
- A fundamental change to practice or operations.

2 Directions Procedure

This procedure sets out the process for formulating, approving, issuing and reviewing directions for the Angus Integration Joint Board (IJB) to

issue to partner organisations Angus Council AIC) and NHS Tayside (NHST). A summary of the procedure is outlined at Appendix A.

2.1 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 issuing of Directions should take place at any time throughout the year, as well as at the start of the financial year.

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 related to, and include information on the financial resources that are available for carrying out their function and provide information on the delivery requirements.

The Executive Management Group currently has the responsibility for considering all draft decisions before submission to the IJB and overseeing the delivery of the strategic plan and will therefore play a key role in helping to shape directions. The Angus IJB's Strategic Planning Group will contribute to this process.

As Directions are formulated at the end of a 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 the Council or NHST.

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 AIJB for approval as part of most IJB reports.

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 business case, specific change or to transform a service.

Directions must:

- Include the reference of the Direction that is superseded by a new Direction in respect of the same functions
- identify the delegated health and/or social care function to which it relates
- identify to whom the Direction is directed
- include information on the financial resources that are available

for carrying out this function. The financial resource allocated to each function is a matter for the IJB to determine. The Act makes provision for the allocations of budgets for the sums 'set aside' in relation to commissioned services within large hospitals. The finance statutory guidance published in 2015 provides detail:

- Show how it relates to the Strategic Plan
- Identify the outcomes that are expected
- Provide information on any delivery requirements. Directions may, if appropriate, specify a particular service or services to be provided, achievement of outcomes and/or the strategic plan priorities
- Set out any monitoring requirements that will track the implementation of the Direction

Most of these requirements will have been set out in the covering report for the IJB. It would therefore be appropriate to create a brief Direction and attach the IJB report.

The Chief Officer of the IJB has responsibility for considering all draft reports 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. The CFO is responsible for ensuring the accuracy of financial commitments on behalf of the IJB and will therefore also have a key role in helping shape directions.

2.2 Directions relating to Lead Partner Arrangements

There are a number of services that are delivered on a Pan-Tayside services.

The Chief Officer managing services on a pan-Tayside basis will be known as the Lead Partner. Where the Chief Officer is the Lead Partner in relation to a service set out in Annex 1 part 3 of the Integration Scheme the Lead Partner:

- Co-ordinates the strategic planning of the lead partner services
- Will seek approval from **all** Integration Joint Boards on its proposed strategy for those services as required in Section 29 of the Act having regard to all localities in the Tayside area
- Will provide reports on those services to other Integration Joint Boards at least in every planning period, ensuring consultation where significant service change is planned at any point

In respect of Lead Partner services collaboration between Chief Officers of Angus, Dundee and Perth and Kinross is essential as Directions will also

have to be co-ordinated. Lead Partner Pan-Tayside services require a Direction from each IJB not the Lead Partner alone.

Likewise, a mature and collaborative partnership approach will be required to reach agreement on the use of directions in respect of the commissioning of services on the unplanned admission pathway and the sum 'set aside' in respect of those large hospital functions.

The establishment of the Tayside Executive Partners (TEP), comprising Chief Officers from the three Tayside Integration Joint Boards, The Chief Executives from NHS Tayside and the three Tayside Local Authorities, provides a mechanism for discussing pan-Tayside issues and arrangements for co-ordination across partners for lead partner services, inpatient mental health, learning disability and drug and alcohol services as well as large hospital functions, prior to progression through IJB decision-making processes.

While this is a useful forum for the development of pan-Tayside co-ordination (where this is thought to be appropriate), the TEP is neither a decision-making nor direction-setting group in relation to delegated functions.

More work is required to ensure appropriate and proportionate oversight and governance of pan-Tayside services and direction setting in a multi-IJB context and a future iteration of this policy will reflect any agreed process and procedure.

2.3 Approving and issuing Directions

The IJB is responsible for approving all Directions. Directions will be reviewed and issued at the start of the financial year to establish the budget for each service to be delivered. In order to provide flexibility and take account of strategic and financial developments and service changes throughout the year, or a change in local circumstances, Directions will be issued at any time as required by IJB decisions and will be subject to formal approval by the IJB as part of that decision-making process.

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. It is the IJB's responsibility to ensure that they identify whether a Direction is required in relation to any report they consider.

The detail of the new or revised Direction will be appended to the IJB report using the Direction template (Appendix B). The naming convention in relation to Directions will include reference to the Title of

the IJB report and the number / year of the IJB report and therefore decision to which the direction refers.

Once approved, written Directions and the associated IJB 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 (NHST and AC). Chief Executives will be asked to acknowledge receipt of Directions and will be advised of performance reporting arrangements.

Many Directions will be implemented by the Chief Officer as part of their role as an operational manager of both NHST and Angus Council. It may appear that the Chief Officer is directing themselves however this is not a reason for failing to issue Directions as they are an essential part of the Governance and accountability arrangements in relation to the operation of an IJB.

2.4 Implementation of Directions

AC and NHST 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.

Initially, the Chief Officer will seek to resolve issues, liaising with and involving the AIJB Chair or Vice-Chair accordingly. If resolution proves difficult, for example if issues are particularly complex, the AIJB will be informed prior to initiating the dispute resolution process outlined in the Integration Scheme.

2.5 Monitoring of Directions

The Chief Officer will ensure that all directions are reviewed annually through the work of the IJB Audit Committee and IJB.

The IJB's Audit Committee will assume responsibility for overview of progress with the implementation of directions, requesting a twice-yearly progress report, and escalating key delivery issues to the IJB (June and December).

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.

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.

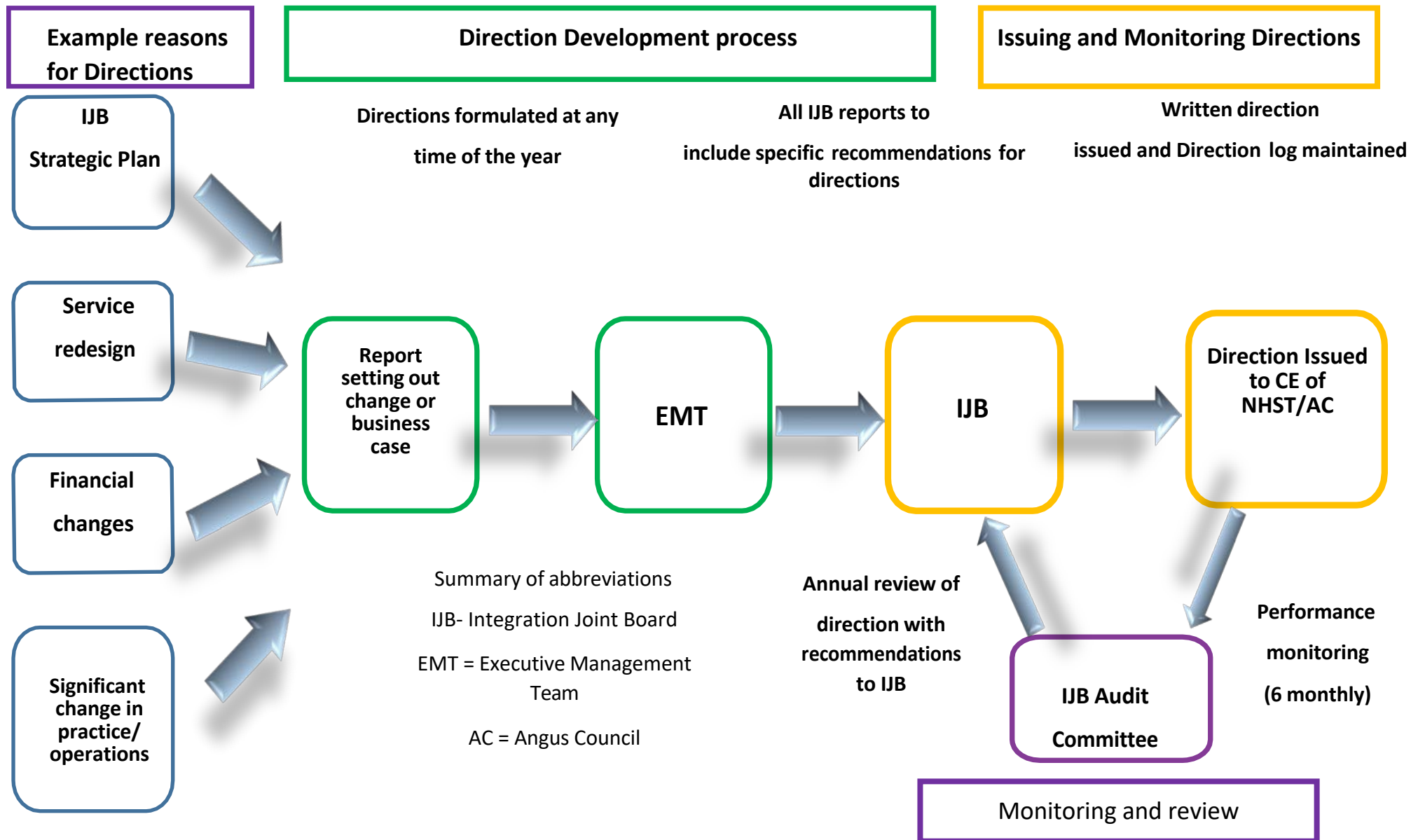
Recommendations for variation, closure and new directions will mainly be brought to the IJB at the start of each financial year. However, it is expected that new directions will be brought forward throughout the year to reflect strategic developments and service transformation.

2.6 Performance and Effectiveness Controls

The performance and effectiveness controls will inform the review of Directions set by the IJB. The following controls will inform that 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 AC and NHST, 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

Appendix A – Summary of Process



ANGUS INTEGRATION JOINT BOARD

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

1	Direction reference Number	IJB report no./year	Direction reference to be superseded (if relevant)	
2	Date of IJB	Date of meeting where decision agreed and Direction approved	IJB report reference	No / year
3	Report Title	Title of report to IJB		
4	Date from which direction takes effect	Date of IJB or date in future. Date cannot pre-date the meeting where the direction is made		
5	Direction to (delete as appropriate)	Angus Council only NHS Tayside only Angus Council and NHS Tayside		
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 (delete as appropriate)		
7	Functions covered by Direction	List all functions subject to direction e.g. Residential Care for Older People, Occupational Therapy, Mental Health Services etc.		
9	Full text of Direction	Outline clearly what the IJB is directing Angus Council, NHS Tayside or both to do.		
10	Budget allocated for the implementation of the Direction	State the financial resources allocated to enable Angus Council, NHS Tayside or both to carry out the Direction. Where the direction related 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.		
11	Intended Outcomes to be delivered by this Direction	Description of what the Direction is intended to achieve. Describe the link to Strategic Plan Priority area. Describe the link to the National Health and Wellbeing Outcomes.		
12	Performance monitoring requirements for this Direction	This Direction will be monitored and progress reported to IJB Audit Committee bi-annually.		
13	Review date	Date, no more than 1 year in the future.		

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 \(The Scottish Government, January 2020\)](#)