

# **Clackmannanshire & Stirling Integration Joint Board (CSIJB) Directions Policy**

## **1.0 Introduction and policy context**

1.1 This policy document outlines the process for drafting, approving, issuing and monitoring Directions from Clackmannanshire & Stirling Integration Joint Board (IJB) to the constituent authorities Clackmannanshire and Stirling Councils and Forth Valley NHS Board. The policy has been developed with reference to relevant legislation and statutory guidance and should be reviewed on an annual basis.

1.2 In line with the provisions of sections 26 to 28 of the Public Bodies (Joint Working) (Scotland) Act 2014, Directions are the key mechanism by which the IJB's strategic commissioning plans are actioned.

1.3 Directions are issued by the IJB to Clackmannanshire & Stirling Councils and Forth Valley NHS Board, setting out how all delegated services which fall under the control of the IJB, as defined in the integration scheme, are to be delivered and funded via the Strategic Plan budget (Integrated Budget and Set Aside Budget for large hospital services).

1.4 Directions are legally binding and provide a formal record and audit trail of IJB decisions and responsibilities between Partners.

1.5 Statutory guidance relating to Directions was published by the Scottish Government in January 2020 to promote best practice and improve the manner in which Directions are issued and implemented. The statutory guidance can be found here: [Directions from integration authorities to health boards and local authorities: statutory guidance - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/statutory-guidance-2020-01/pages/149.aspx)

1.6 In order to comply with statutory guidance, the IJB is required to have a formal Directions policy in place.

1.7 The Directions policy also supports the governance and accountability proposals contained within the Ministerial Strategic Group for Health and Community Care's report published in February 2019 regarding progress with the integration of Health and Social Care in Scotland.

## **2.0 Form and content of Directions**

2.1 Directions are a necessary and important element of the IJB's governance structure designed to convey IJB decisions and clarify responsibilities between constituent authorities, whilst providing a clear framework for the operational delivery of delegated services.

2.2 As such, Directions must be in writing and drafted in sufficient detail to ensure IJB decision making is accurately and effectively communicated to both Clackmannanshire and Stirling Councils and Forth Valley NHS Board.

2.3 In addition, all Directions must comply with clinical and care governance standards to safeguard patient safety and public protection together with staff welfare and financial governance arrangements.

2.4 As a minimum, a Direction must provide the following information:

- A reference number to maintain version control and support audit.
- Details of the scope and scale of the service involved (distinguishing between set aside and integrated functions as appropriate).
- Details of overall budget and funding source (i.e. payment/integrated budget or set aside).
- Details of the actions or outcomes required in line with the IJB's strategic plan priorities and decision making process.
- An outline of the potential impact on key stakeholders, including consideration of consultation requirements.
- Timescales for delivery and performance/progress monitoring arrangements.

A standard template has been developed to capture the information referred to above in a consistent format (see appendix A).

### **3.0 Process for approval and issue of Directions**

3.1 The IJB is responsible for approving all Directions. Directions will be issued to partners by the Chief Officer as soon as practicable following approval by the IJB. Directions will be prepared and issued in respect the delegated functions referred to in annex 1 (part 2) and annex 2 (part 2) of the Integration Scheme at the start of each financial year.

3.2 The Directions will remain in force until they are varied, revoked or superseded as a consequence of IJB decisions or in response to changes in strategic and financial priorities during the course of the year.

3.3 A clear audit trail will be maintained through the creation of a chronological Directions log.

3.4 In order to determine when a new or amended Direction is required, the standard report format for the IJB and all sub committees includes a section on Directions.

3.5 This will act as a prompt for the report author to consider whether a new or amended Direction requires to be issued to Clackmannanshire Council, Stirling Council and/or Forth Valley NHS Board and to seek approval from the IJB as appropriate. Where the report author is uncertain whether a direction requires to be

issued advice should be taken from the Chief Officer, Chief Finance Officer and Clerk to the IJB as early as possible.

3.6 Where a new or amended Direction is required a draft should be included with the report using the standard template provided at appendix A.

3.7 In this way, a Direction should always be initiated by a decision made by the IJB (a Direction represents the formal end point of the decision making process).

## **4.0 Implementation of Directions**

4.1 Clackmannanshire Council, Stirling Council and Forth Valley NHS Board are responsible for complying with and implementing the Directions. The Chief Executives of the three organisations are expected to formally acknowledge receipt of all Directions issued by the IJB.

4.2 The Directions are legally binding and as such partners may not amend, disregard, appeal or veto any Direction. Similarly, neither partner may use the resources allocated via the IJB for any other purpose than that intended in the Directions.

4.3 The IJB may seek information from both Clackmannanshire Council, Stirling Council and Forth Valley NHS Board for performance monitoring and reporting purposes (see section below). The required performance measures and outcomes will be articulated in the Direction.

4.4 Should either partner experience difficulty in implementing the Directions, this should be discussed with the Chief Officer initially. The Chief Officer will seek to resolve the matter on an informal basis in the first instance, in conjunction with the IJB Chair and Vice Chair and considering professional advice as appropriate.

4.5 In the unlikely event that formal dispute resolution is required, the dispute resolution mechanism outlined in section 14 of the Integration Scheme will apply.

## **5.0 Monitoring and review of Directions**

5.1 The Directions may be subject to Audit.

5.2 As part of the IJB's performance management framework, the Finance and Performance Committee will oversee progress in implementing the Directions (by conducting regular reviews of the Directions log, requesting progress reports from partners and escalating issues to the IJB as appropriate). In addition, the Finance and Performance Committee will provide an annual assurance report to the IJB.

5.3 The Directions policy will be reviewed every two years. It is also possible the policy may require review when a revised Integration Scheme is approved.