



## **PERTH AND KINROSS INTEGRATION JOINT BOARD**

### **AUDIT & PERFORMANCE COMMITTEE**

**6 MARCH 2018**

## **GOVERNANCE & ACCOUNTABILITY ARRANGEMENTS: UPDATE**

**Report by Chief Financial Officer**

### **PURPOSE OF REPORT**

The purpose of this paper is to update the Audit and Performance Committee on progress in formalising with both NHS Tayside and Perth & Kinross Council the governance and accountability arrangements for Perth & Kinross Integration Joint Board.

### **1. BACKGROUND**

- 1.1 The Public Bodies (Joint Working) (Scotland) Act 2014 ("the Act") created a separate entity (the IJB) to which adult social care and health functions are now legally delegated.
- 1.2 The IJB is now responsible for planning and resourcing the delivery of these care and health functions in a more integrated manner, with the Strategic Plan forming the blueprint for integrated service delivery.
- 1.3 Through the Strategic Plan, the IJB is responsible for redesigning these services and ensuring their operational delivery on the ground through its commissioning arrangements with PKC and NHS in accordance with the objectives of the Plan.
- 1.4 The IJB is a strategic commissioning body; it employs no staff and owns no assets, and is therefore incapable of operationally delivering the services itself. It does have a role in overseeing that operational delivery on the ground is aligned to the implementation of its Strategic Plan and this is achieved through the dual role of the Chief Officer who is the link between the two parties and:-
  - is accountable to the IJB for delivery of the strategic plan outcomes; ensures that the delegated functions are being delivered in accordance with the IJB's strategic plan and provides the necessary assurance to the IJB in this regard.
  - is accountable to the Chief Executives of the respective partners (PKC & NHS Tayside) in his other role as a member of their respective executive

management teams for managing operational delivery of the services that the IJB has commissioned from them.

1.5 Responsibility for the clinical and care standards remains with the Chief Social Work Officer of Perth & Kinross Council and Clinical Leads within NHS Tayside because these parties are responsible for the provision of operational services as commissioned by the IJB in accordance with the Strategic Commissioning Plan

1.6 In terms of risk:-

- **STRATEGIC RISK**  
The IJB manages the strategic risks (that is – those high level risks which will prevent or hinder the ultimate delivery of the delegated functions in accordance with the objectives of its strategic plan and the requirements of legislation). It should have a risk register in respect of this and a risk action plan for managing and mitigating these risks. The Chief Officer /CFO will manage and monitor these risks on behalf of the IJB and there should be clear protocols for escalation
- **OPERATIONAL RISK** (that is those risks associated with actual service delivery on the ground)  
These are effectively shared between with the Chief Officer (who is responsible for ensuring that the services which the IJB has effectively commissioned from the parties are in fact delivered on the ground) and the respective parties PKC and NHS who are responsible for ensuring that they deliver these services on the ground in a safe and lawful way. The integrated Service Management Team should hold and manage the risks in respect of these aspects with clear protocols for escalation either to the IJB or to the Executive Officer Teams of each of the parties depending upon the nature of the risks.
- **CLINICAL CARE & PROFESSIONAL RISK**  
In terms of the quality and standards of the service delivery and the conduct and behaviour of staff etc. sit with the respective parties either through the statutory roles/responsibilities of the Chief Medical /Nursing advisors and the Chief Social Work Officer or with the respective parties in their capacity as employers. They are responsible for providing the necessary assurance to the Chief Officer in his dual roles that these risks are being effectively managed and monitored by the parties

## **2. KEY ISSUES**

- 2.1 It is has become apparent since 1st April 2016 that the other IJB's in Tayside have take a different interpretation of the legislation, specifically with regard to responsibility for operational delivery of services.
- 2.2 As set out above, the Perth & Kinross IJB position is that the IJB is a Strategic Commissioning Body and since it employs no staff and owns no assets it therefore incapable of operationally delivering services. It does however have a role in overseeing that operational delivery is in line with implementation of the Strategic Plan and this is achieved through the dual role of the Chief Officer.
- 2.3 It is our understanding that in Angus IJB and Dundee IJB the formal view is that responsibility for operational delivery of services lies with the IJB.
- 2.4 This key difference in interpretation has lead to a review by NHS Tayside of IJB Governance. The paper attached at Appendix 1 sets out the findings of this review and the conclusion that it is appropriate for different models of governance to exist in NHS Tayside.
- 2.5 The paper acknowledges however that discussions have not taken place between NHS Tayside and each of the Local Authorities to ensure that for each IJB the partners are in full agreement on the governance and accountability arrangements.

## **3. NEXT STEPS**

- 3.1 Following the NHS Tayside Review, it is now important that there is formal agreement between NHS Tayside and Perth & Kinross Council on governance and accountability arrangements.
- 3.2 Following formal agreement of the governance and accountability arrangements, it is proposed that a more detailed paper on Perth & Kinross IJB Governance & Accountability Arrangements be developed by the Executive Management Team to set out clearly for IJB Members , Partnership Staff and other Stakeholders a clear articulation of reporting, decision making and assurance routes. This paper should come forward to the IJB within the next 6 months.

## **4. RECOMMENDATION**

The Audit and Performance Committee are asked to:-

- Ask the Chief Officer to facilitate reaching clear and formal agreement with PKC and NHST on the arrangements for governance and accountability.
- Ask the Chief Officer to bring a paper back to the IJB within 6 months setting out in detail the governance arrangements and routes for reporting, decision making and assurance.

## Appendix 1 – NHS Tayside Board and Integration Joint Board Governance

### Author(s)

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