

## **REPORT TO ABERDEENSHIRE INTEGRATION JOINT BOARD 01 MARCH 2023**

### **USE OF CHIEF OFFICER DELEGATED POWERS IN RELATION TO URGENT MATTERS**

#### **1 Recommendation**

**It is recommended that the Integration Joint Board (IJB):**

- 1.1 Agree to acknowledge the use of special urgency powers provided in appendix one.**
- 1.2 Consider and comment on the proposed register and annual report to the IJB on the use of special urgency powers.**

#### **2 Directions**

- 2.1 No direction requires to be issued to Aberdeenshire Council or NHS Grampian as a result of this report.

#### **3 Risk**

- 3.1 IJB Risk 4 Inadequate Business Continuity arrangements – Planning and control measures through immediate reporting to the IJB augmented by an annual report will ensure transparency and clarity as to decisions made through the use of delegated urgent powers.

#### **4 Background**

- 4.1 At its meeting on 25<sup>th</sup> March 2020 the IJB agreed to delegate urgent powers to the Chief Officer as per the provisions outlined in section 4.2 below. These powers were then formalised in the Scheme of Delegation approved by the IJB as part of its Governance Handbook on 2<sup>nd</sup> March 2022 to help ensure sound decision-making, adequate control and good governance. The Scheme sets out the powers and responsibilities of significance to the IJB's discharge of its statutory responsibilities.
- 4.2 The Chief Officer is authorised to take a decision on any matter, which in their professional judgement requires to be determined by the IJB, or any Committee, or Sub-Committee but by reason of special urgency it is impractical to convene a meeting of the IJB, Committee, or Sub-Committee.

This power is subject to consultation with:

- a) The Chief Executives of both NHS Grampian and Aberdeenshire Council,

b) The Chair and Vice Chair of the IJB, or relevant Committee or Sub-Committee.

4.3 There is a requirement for any decision by the Chief Officer under this delegation to report to the next IJB meeting for information. On two occasions this requirement has not been met, see appendix one for information.

## 5 Summary

5.1 Appendix two provides a list of the occasions when special urgency powers have been used and reported to subsequent IJB sessions.

5.2 To provide assurance to the IJB that these powers are used sparingly and only in accordance with the process agreed by the IJB, and reduce the risk (outlined in 3.1), and as previously agreed by the IJB, a register has been created to record the use of the Chief Officer's delegated powers and to monitor and log when this is reported to the IJB. This register will be shared in an annual report to the IJB in March of each year.

5.3 The Chief Officer, along with the Chief Finance Officer and the Legal Monitoring Officers within Business Services of the Council have been consulted in the preparation of this report and their comments have been incorporated within the report.

## 6 Equalities, Staffing and Financial Implications

6.1 An Integrated Impact Assessment is not required because this report has no differential impact on people with protected characteristics.

**Pamela Milliken**

**Chief Officer**

**Aberdeenshire Health and Social Care Partnership**

Report prepared by Angela Macleod, Interim Strategy and Transformation Manager and Wendy Probert, Strategic Development Officer

Date 16<sup>th</sup> February 2023

## Appendix 1

**Record of the previous use of the Chief Officers delegated powers in relation to Urgent Matters which were not reported to the IJB at subsequent meetings**

### 2021

<b>Use of Emergency Powers</b>	<b>Powers used</b>
Adaptations to Dalrymple Hall for use as vaccination centre	November 2021
Mental Health Pathway	May 2021

## Appendix 2

**Record of the previous use of the Chief Officers delegated powers in relation to Urgent Matters which were reported to the IJB at subsequent meetings**

### 2022

<b>Use of Emergency Powers</b>	<b>Powers used</b>	<b>IJB Meeting – Use of delegated powers was agreed retrospectively</b>
Subject - LD Accommodation Funding Approval	September 2022	7 <sup>th</sup> December 2022
Ukrainian Health Funding Approval	September 2022	12 <sup>th</sup> October 2022
Adaptations to Invercarron Resource Centre for use as vaccination centre	January/February 2022	3 <sup>rd</sup> March 2022

### 2021

<b>Use of Emergency Powers</b>	<b>Powers used</b>	<b>IJB Meeting – Use of delegated powers was agreed retrospectively</b>
Winter Planning Spending	November 2021	3 <sup>rd</sup> November 2021

### 2020

<b>Use of Emergency Powers</b>	<b>Powers used</b>	<b>IJB Meeting – Use of delegated powers was agreed retrospectively</b>
Approve the Health and Social Care Supplementary Procurement Plan	May 2020	24 <sup>th</sup> June 2020
Delegation to Chief Officer in Urgent Circumstances	March 2020	25 <sup>th</sup> March 2020 (not retrospectively)