

**Integration Joint Board**  
**24 May 2018**

**Subject:** **Appointment of an interim Section 95 Officer of the Integration Joint Board (IJB)**

**Purpose:** To appoint an interim Section 95 Officer of the IJB.

**Recommendation:** The Integration Joint Board agrees to:

1. Suspend Standing Orders; and
2. that pending the appointment of the permanent post of Chief Finance and Transformation Office, North Ayrshire Council's Executive Director (Finance and Corporate Support) be appointed as interim Section 95 Officer of the Integration Joint Board (IJB).

**Glossary of Terms**

NHS AA	NHS Ayrshire and Arran
HSCP	Health and Social Care Partnership

<b>1.</b>	<b>EXECUTIVE SUMMARY</b>
1.1	To ensure that the IJB Annual Accounts can be signed-off and submitted for audit it is necessary to approve the appointment of an interim Section 95 Officer of the IJB pending the appointment of the permanent post of Chief Finance and Transformation Officer.
<b>2.</b>	<b>BACKGROUND</b>
2.1	On 15 February the IJB agreed to recruit the post of Chief Finance and Transformation Officer. This post will manage finance and transformation for the Health and Social Care Partnership (HSCP) and act as Chief Finance Officer of the Integration Joint Board (IJB) in terms of Section 95 of the Local Government (Scotland) Act 1973. Pending the recruitment of that post the IJB also agreed that the current interim Chief Finance and Transformation Officer for the HSCP Council services be appointed as interim Section 95 Officer of the IJB.
2.2	The current interim Chief Finance and Transformation Officer is employed by the Council on a consultancy basis, meaning that professional insurance is secured through the consultancy rather than through the Council. While the postholder is fully insured when acting as interim Chief Finance and Transformation Officer of the HSCP, unfortunately it has not been possible to secure adequate insurance or indemnity in relation to the Section 95 duties.

2.3	As set out in the report to the IJB on 15 February, to avoid the risks inherent in the IJB operating without proper financial advice, it is essential to ensure the IJB has an interim Chief Finance Officer. The IJB also requires to have a section 95 Officer in place by 30 June to sign the annual accounts. While the interview for the permanent post of Chief Finance and Transformation Officer, including the Section 95 IJB duties, will take place in early June, it is possible that a section 95 officer may not take up post until after 30 June 2018.
2.4	In these circumstances it is proposed that pending the appointment of a permanent Chief Finance and Transformation Officer that North Ayrshire Council's Executive Director (Finance and Corporate Support) be appointed as interim Section 95 Officer of the Integration Joint Board (IJB).
<b>3.</b>	<b>PROPOSALS</b>
3.1	It is proposed that pending the appointment of a permanent Chief Finance and Transformation Officer that North Ayrshire Council's Executive Director (Finance and Corporate Support) be appointed as interim Section 95 Officer of the Integration Joint Board (IJB).
3.2	<b><u>Anticipated Outcomes</u></b>
	In terms of good governance it is important that the IJB has a Chief Finance Officer appointed under section 95 of the Local Government (Scotland) Act 1973. This also addresses the risk of the IJB not having a Section 95 Officer in place to sign the accounts.
3.3	<b><u>Measuring Impact</u></b>
	In practice the interim Chief Finance and Transformation Officer of the HSCP will still undertake financial work required to inform the advice of the Section 95 Officer
<b>4.</b>	<b>IMPLICATIONS</b>

<b>Financial:</b>	The IJB requires to make arrangements for the proper administration of their financial affairs and ensure that a proper officer of the authority has responsibility for the administration of those affairs. Audit Scotland have been critical of IJBs who have failed or delayed to appoint a Chief Finance Officer.
<b>Human Resources:</b>	No implications.
<b>Legal:</b>	The Council's Executive Director (Finance and Corporate Support) is also the Council's section 95 Officer. In principle there is no issue in this postholder holding both section 95 roles. Indeed, the IJB's Monitoring Officer is also the Monitoring Officer for the Council. However if a clear conflict of interest arises, to the extent that the postholder requires to declare an interest, independent external advice may on occasion be required.
<b>Equality:</b>	No implications.
<b>Children and Young People</b>	No implications.

<b>Environmental &amp; Sustainability:</b>	No implications.
<b>Key Priorities:</b>	Proper financial support for the IJB underlies all of its strategic priorities.
<b>Risk Implications:</b>	No implications.
<b>Community Benefits:</b>	No implications.

<b>Direction Required to Council, Health Board or Both</b>	Direction to :-	
	1. No Direction Required	x

<b>5.</b>	<b>CONSULTATION</b>
5.1	There have been consultation with officers in the Council's Finance, Insurance and Human Resources teams, and with the Chief Executives of the Council and NHS AA.
<b>6.</b>	<b>CONCLUSION</b>
6.1	Agreement of the recommendations in this report will ensure the IJB has sound financial governance arrangements in place to allow its accounts to be closed for 2017/18 and passed to auditors by the end of June 2018.

**For more information please contact Andrew Fraser, IJB Monitoring Officer on 01294 324125**