



**REPORT**

Item No: 6

<b>SUBJECT:</b>	Standing Orders
<b>TO:</b>	Integration Joint Board
<b>Lead Officer for Report:</b>	Chief accountable Officer
<b>Author(s) of Report</b>	Operational Manager
<b>DATE:</b>	12 <sup>th</sup> December 2017

**1. PURPOSE OF REPORT**

This paper is coming to the IJB

For approval	<input checked="" type="checkbox"/>	For endorsement	<input type="checkbox"/>	To note	<input type="checkbox"/>
--------------	-------------------------------------	-----------------	--------------------------	---------	--------------------------

- 1.1 To seek approval of the Standing Orders which sets out the governance for proceedings and business of the Integration Joint Board.

**2. ROUTE TO THE BOARD**

This paper has been:

Prepared by: N/a	<input type="checkbox"/>	Reviewed	<input type="checkbox"/>	Endorsed	<input type="checkbox"/>
------------------	--------------------------	----------	--------------------------	----------	--------------------------

**3. RECOMMENDATION**

- 3.1 It is recommended that the IJB Considers and approves the Standing Orders.

**4. BACKGROUND/SUMMARY OF KEY ISSUES**

**4.1 LEGISLATIVE CONTEXT**

- 4.1.1 The Public Bodies (Joint Working) (Integration Joint Boards) (Scotland) Order 2014 (as amended), provides that an Integration Joint Board must make Standing Orders to regulate its procedure and business, both at meetings of the Board and its Committees.
- 4.1.2 Much of what it required to be in Standing Orders is prescribed in the above mentioned Order. The Standing Order brings together the main rules about the procedures of the Board in a single document.

**5. CONCLUSIONS**

- 5.1 Standing Orders are a requirement of the Public Bodies (Joint Working)( Integration Joint Boards) (Scotland) Order 2014.

5.2 A copy of the Standing Orders for the Integration Joint Board for Health and Social care North Lanarkshire is attached to this paper.

**6. IMPLICATIONS**

**6.1 NATIONAL OUTCOMES**

6.1.1 This relates to all nine national outcomes as proper oversight and governance of the integrated arrangements is essential to ensuring that services deliver in line with expectations.

6.2 ASSOCIATED MEASURE(S)  
None

6.3 FINANCIAL  
This paper has been reviewed by Finance:

<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
--------------------------	----	--------------------------	-----	-------------------------------------

6.4 PEOPLE  
None

**6.5 INEQUALITIES**

EQIA Completed: No EQIA carried out as this report does not represent a new policy, plan, service or strategy

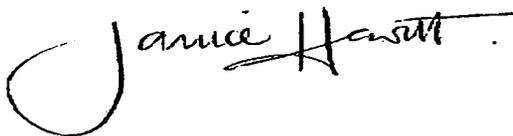
Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
-----	--------------------------	----	-------------------------------------	-----	--------------------------

**7. BACKGROUND PAPERS**  
None

**8. APPENDICES**  
Appendix 1: Standing Orders

**9. VARIATIONS TO DIRECTIONS?**

Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
-----	--------------------------	----	-------------------------------------	-----	--------------------------



.....  
CHIEF ACCOUNTABLE OFFICER (or Depute)

Members seeking further information about any aspect of this report, please contact Christine Jack on telephone number 01698 855539

**Standing Orders for the  
North Lanarkshire Health and Social Care Integration Joint Board**

## 1. **General**

- 1.1. These Standing Orders for the conduct and proceedings of the North Lanarkshire Health and Social Care Integration Joint Board and its Committees are made under the Public Bodies (Joint Working) (Scotland) Act 2014 and the Public Bodies (Joint Working) (Integration Joint Boards) (Scotland) Order 2014.

Any statutory provision, regulation or direction issued by the Scottish Ministers shall have precedence if they are in conflict with these Standing Orders.

- 1.2. These Standing Orders shall be the rules and regulations for the proceedings of the North Lanarkshire Health and Social Care Integration Joint Board and its Committees.

- 1.3. In these Standing Orders:

“Chief Officer” means an officer appointed under Section 10 of the Public Bodies (Joint Working) (Scotland) Act 2014.

“constituent authorities” means North Lanarkshire Council (the Council) and NHS Lanarkshire (the Health Board).

“Council” means North Lanarkshire Council.

“Health Board” means NHS Lanarkshire.

“Integration Joint Board” (IJB) means the North Lanarkshire Health and Social Care Integration Joint Board.

“Integration Joint Boards Order” means the Public Bodies (Joint Working) (Integration Joint Boards) (Scotland) Order 2014 SSI 2014 No 285 (as amended)

“The Act” means the Public Bodies (Joint Working)(Scotland) Act 2014

“Integration Scheme” means the document produced by the constituent authorities in accordance with section 2(3) of the Public Bodies (Joint Working) (Scotland) Act 2014

- 1.4. Any statutory provision, regulation, order or direction issued by the Scottish Ministers shall have precedence if they are in conflict with these Standing Orders.
- 1.5. Any one or more of these Standing Orders may be suspended on a duly seconded motion, incorporating the reasons for suspension, if carried by a majority of members present, provided that suspension is consistent with the Integration Joint Boards Order.
- 1.6. The Chief Officer shall ensure that a copy of these Standing Orders is provided to each member of the Integration Joint Board on appointment and to each member of the Senior Management Team of the Health and Social Care Partnership.

## 2. **Membership**

- 2.1. The Integration Joint Board shall comprise:-

- (a) The Chief Officer appointed by the Integration Joint Board as a non-voting member;
- (b) Voting members;

- (c) Non-voting professional members, and
  - (d) Non-voting stakeholder representatives.
- 2.2. Voting membership of the Integration Joint Board shall comprise:
- (a) four non-executive members of the Health Board nominated by the NHS Board, and
  - (b) four Councillors nominated by the Council.
- 2.3. Non-voting professional membership of the Integration Joint Board shall comprise, in addition to the Chief Officer who is appointed by the Integration Joint Board:-
- (a) the Chief Social Work Officer of the Council;
  - (b) the proper officer of the Integration Joint Board appointed under section 95 of the Local Government (Scotland) Act 1973;
  - (c) a registered medical practitioner whose name is included in the list of primary medical services performers prepared by the Health Board in accordance with Regulations made under section 17P of the National Health Service (Scotland) Act 1978;
  - (d) a registered nurse who is employed by the Health Board or by a person or body with which the Health Board has entered into a general medical services contract, and
  - (e) a registered medical practitioner employed by the Health Board not providing primary medical services.

The members at (c) to (e) shall be determined by the Health Board.

- 2.4. Following establishment, the Integration Joint Board must appoint at least one non-voting stakeholder member in respect of each of the following categories:-
- (a) One member in respect of staff of the constituent authorities engaged in the provision of services provided under integration functions;
  - (b) One member in respect of third sector bodies carrying out activities related to health or social care in the area of the local authority;
  - (c) One member in respect of service users residing in the area of the local authority;
  - (d) One member in respect of persons providing unpaid care in the area of the local authority, and
  - (e) Such additional members as the Integration Joint Board sees fit. Such a member may not be a councillor or a non-executive director of the Health Board. This IJB has chosen to include one member in respect of Independent Sector bodies carrying out activities related to health or social care in its area.
- 2.5. If a voting member is unable to attend a meeting of the Integration Joint Board the constituent authority which nominated the member is to use its best endeavours to arrange for a suitably experienced proxy, who is either a Councillor or, as the case may be, a Member of the Health Board, to attend the meeting in place of the voting member. Named Depute members for members of the Integration Joint Board may

be appointed by the constituent authorities, however members may send any suitably qualified individual as a proxy. The member, who is unable to attend, shall notify the Chief Officer (or nominee) and arrange with the nominating body a proxy to attend in their place. A proxy nominated under these provisions shall be able to vote on any decision put to the meeting.

- 2.6. If a member who is not a voting member is unable to attend a meeting of the Integration Joint Board, they shall be entitled to arrange for a suitably experienced proxy to attend the meeting on their behalf. Such proxy shall be notified to the Chief Officer (or nominee).

### **3. Term of Office/Resignation**

- 3.1. The term of office of voting members is to be determined by the constituent authorities (i.e. Council and Health Board), but shall not exceed three years. Members appointed under article 2.1(a), 2.3 (a) or 2.3(b) shall remain a member for so long as they hold office in respect of which they are appointed.
- 3.2. The term of office of stakeholder members shall be determined by the Integration Joint Board, but shall not exceed three years.
- 3.3. A member (other than a member appointed under article 2.3 (a) or 2.3(b) may resign their membership of the Integration Joint Board at any time by giving written notice to the Chief Officer (or nominee). The resignation shall take effect from the date stated in the notification, or in the absence of a specified date, the date of receipt of the notice.
- 3.4. Where a voting member gives notice of resignation, the Integration Joint Board must inform the constituent body which nominated the member of the resignation giving one month's notice. Where a member resigns or otherwise ceases to hold office, the person appointed in his/her place shall be appointed for the unexpired term of the Member replaced.
- 3.5. On expiry of a Member's term of appointment the Member shall be eligible for re-appointment provided that he/she remains eligible and is not otherwise disqualified from appointment.

### **4. Removal of Members**

- 4.1. If a member has not attended three consecutive meetings of the Integration Joint Board, and their absence was not due to illness or some other reasonable cause approved by the Integration Joint Board, the Integration Joint Board may remove the member from office by providing the member with one calendar month's notice in writing.
- 4.2. If a member acts in a way which brings the Integration Joint Board into disrepute or in a way which is inconsistent with the proper performance of the functions of the Integration Joint Board, the Integration Joint Board may remove the member from office with effect from such date as the Integration Joint Board may specify in writing.
- 4.3. If a member becomes disqualified under article 8 of the Integration Joint Boards Order during a term of office they shall be removed from office immediately.
- 4.4. If a member who is a Councillor appointed on the nomination of the Council ceases, for any reason, to be a Councillor during a term of office, they shall cease to be a member of the Integration Joint Board with effect from the day they cease to be a Councillor.

- 4.5. A constituent authority may remove a member who it nominated by providing one month's notice in writing to the member and the Integration Joint Board.

## 5. Disqualification

- 5.1. No person may be appointed as a Member of the Integration Joint Board, if they:-
- (a) have, within a period of five years immediately preceding the proposed date of appointment, been convicted of any criminal offence in respect of which the person has received a sentence of imprisonment (whether suspended or not) for a period of not less than three months (without the option of a fine);
  - (b) have been removed or dismissed for disciplinary reasons from any paid employment with a health board or local authority;
  - (c) are insolvent<sup>1</sup>;
  - (d) have been removed from a register maintained by a regulatory body other than where the removal was voluntary<sup>2</sup>, and
  - (e) have been subject to a sanction under Section 19(1)(b) to (e) of the Ethical Standards in Public Life etc. (Scotland) Act 2000; all as defined in the Integration Joint Boards Order.

## 6. Chair and Vice-Chair

- 6.1. The Chair and Vice-Chair shall be appointed from the Health Board and Council voting members on the Integration Joint Board. The Council and the Health Board shall alternate which of them is to appoint the Chair and Vice-Chair. Whenever a Council member is to serve as Chair then the Vice-Chair will be a member nominated by the Health Board and vice versa.
- 6.2. The appointment of Chair and Vice-Chair shall not exceed a period of three years; unless the constituent authorities agree otherwise. The Council or Health Board may change their appointee as Chair or Vice-Chair during the period of their appointment.
- 6.3. The Vice-Chair may act in all respects as the Chair of the Integration Joint Board if the Chair is absent or for any reason otherwise unable to perform his/her duties.
- 6.4. At every meeting of the Integration Joint Board the Chair, if present, shall preside. If the Chair is absent from any meeting the Vice-Chair, if present, shall preside. If both the Chair and the Vice-Chair are absent, a Chair shall be appointed from within the voting members present for that meeting. Any proxy attending the meeting may not preside over that meeting.
- 6.5. The Chair and Vice-Chair may resign office at any time, by giving written notice to the Chief Officer, who will inform the constituent body which appointed the Chair, or Vice-Chair, of the resignation. It shall be the responsibility of the constituent authority to appoint a replacement as soon as practicable to complete the term of office of the outgoing Member.
- 6.6. The decision of the Chair on all matters within his/her jurisdiction as set out in these Standing orders shall be final. Deference shall at all times be paid to the authority of the Chair and Members shall address the Chair while speaking.

---

<sup>1</sup> Insolvency is defined in Article 8(4) of the Integration Joint Board's Order

<sup>2</sup> The definition of relevant Regulatory Bodies is set out in Article 8(4)(b) of the Integration Joint Board's Order.

6.7. The Chair (and in his/her absence the Vice-Chair) shall amongst other things:-

- (a) encourage full debate on the issues presented for discussion and seek to obtain a consensus view on all matters before the Integration Joint Board;
- (b) ensure that due and sufficient opportunity is given to voting and non-voting members who wish to speak to express views on any subject under discussion;
- (c) preserve order and ensure that every Member is able to fully express views;
- (d) decide on matters of relevancy, competency and order, and whether to have a recess during the meeting, having taken into account any advice offered by the Chief Officer or other relevant officer in attendance at the meeting;
- (e) determine the order in which speakers shall be heard;
- (f) if requested by any Member to ask the mover of a motion, or an amendment, to state its terms, and
- (g) at his/her discretion, order the exclusion of any person who is deemed to have caused disorder or misbehaved.

## 7. Quorum

No business should be transacted at a meeting of the Integrated Joint Board unless there are present and entitled to vote, at least two Members appointed by the Council and two Members appointed by the Health Board.

## 8. Meetings

- 8.1. The first meeting of the Integration Joint Board shall be convened at a time and place to be determined by the Chair. Thereafter the Integration Joint Board shall meet at such place and such frequency as may be agreed by the Integration Joint Board.
- 8.2. The Chair may convene Special Meetings if it appears to him/her that there are items of urgent business to be considered. Such meetings will be held at a time, date and venue as determined by the Chair. If the Office of Chair is vacant, or if the Chair is unable to act for any reason the Vice-Chair may call such a meeting.
- 8.3. If the Chair refuses to call a meeting of the Integration Joint Board after a requisition for that purpose specifying the business proposed to be transacted, signed by at least two thirds of the voting Members, has been presented to the Chair or if, without so refusing, the Chair does not call a meeting within seven days after such requisition has been presented, those Members who presented the requisition may forthwith call a Meeting provided no business shall be transacted at the Meeting other than specified in the requisition.

## 9. Admission of Public and Media to Meetings

- 9.1. Members of the public and representatives of the media shall be admitted to meetings of the Integration Joint Board to observe the proceedings, unless the Integration Joint Board adopt a resolution to exclude the public and media on grounds that publicity for any item under discussion would be prejudicial to the public interest due to the confidential nature of the business to be transacted or for other reason specified in the resolution.

- 9.2. Members of the public and representatives of the media shall not be permitted, without the approval of the Integration Joint Board, to record the proceedings other than by the making of written notes.
- 9.3. Members of the public may at the Chair's sole discretion be permitted to address the Integration Joint Board for an agreed period, but shall not generally be permitted to participate in discussion at a meeting.
- 9.4. Nothing in these Standing Orders shall preclude the Chair from requiring the removal from a meeting of any person or persons who persistently disrupt the meeting.

## 10. **Notice of Meeting**

- 10.1. Before every meeting of the Integration Joint Board, a notice of the meeting, specifying the date, time, place and business to be transacted at it and signed by the Chair, or by a member authorised by the Chair to sign on that person's behalf, shall be delivered to every member and sent electronically to every member, or sent to the usual place of residence of every member so as to be available to them at least five clear days before the meeting. Members may opt in writing addressed to the Chief Officer (or nominee) to have notice of meetings delivered to an alternative address. Such notice will remain valid until rescinded in writing. Lack of service of a notice of a meeting on any member shall not affect the validity of anything done at that meeting.
- 10.2. In the case of a meeting of the Integration Joint Board called by members, in default of the Chair, the notice shall be signed by those members who requisitioned the meeting.
- 10.3. At a meeting of the Integration Joint Board, no business other than that on the agenda shall be discussed or adopted except where by reason of special circumstances, which shall be agreed at the meeting and specified in the minutes, the Chair is of the opinion that the item should be considered at the meeting as a matter of urgency.
- 10.4. Notice of all Integration Joint Board meetings shall be posted on the Internet a minimum of five days before each meeting.

## 11. **Conduct of Meetings**

- 11.1. No business shall be transacted at a meeting of the Integration Joint Board unless there are present a quorum of at least one half voting members of the Integration Joint Board.
- 11.2. If after a meeting has commenced, the quorum shall fall below one half of the voting members this requires to be drawn to the attention of the Chair and the meeting will be adjourned to such date and time as the Chair may determine.
- 11.3. If it is necessary or expedient to do so, a meeting of the Integration Joint Board may be adjourned to another date, time or place. A decision to adjourn a meeting shall be moved and seconded and put to the meeting without debate. If such a motion is carried by a simple majority of those present and entitled to vote, the meeting shall be adjourned to the day, time and place specified in the motion.
- 11.4. A record must be kept of the names of the members attending every meeting.
- 11.5. Minutes of the proceedings of each meeting, including any decisions made at that meeting, shall be drawn up and submitted to the next ensuing meeting for agreement as to their accuracy, after which they shall be signed by the person presiding at that subsequent meeting.

- 11.6. A vacancy in the membership of the Integration Joint Board shall not invalidate anything done or any decision made by the Integration Joint Board.
- 11.7. Where there is a temporary vacancy in the voting membership of the Integration Joint Board, the vote which would be exercisable by a member appointed to that vacancy may be exercised jointly by the other members nominated by the relevant constituent authority.
- 11.8. In the event that the Integration Joint Board is unable to come to a consensus decision following full discussion on an issue, due to an equality of votes in favour of and against a proposal, the following procedure shall apply:

**Stage 1**

- (a) The Chair shall call on the Chief Officer to outline the consequences of each potential outcome and to make a recommendation;
- (b) The Chair shall immediately without further discussion call for a show of hands on the motion before the meeting;
- (c) If the result remains a tie the Chair will suspend further discussion on the issue of contention and the meeting will move onto the remaining agenda items to conclusion of the Agenda, with any further agenda items contingent on the outcome of the unresolved matter carried forward to a future meeting, and;
- (d) The Chair will then reconvene the IJB within a suitably mutually agreeable timescale to allow for further discussion between members on the disputed issue.

**Stage 2**

- (a) On reconvening, the Chair shall call for any amendment to the motion before the meeting and the meeting will consider such amendment and substantive motion;
- (b) The Chair shall invite members to speak in support of and against the motion. The Chair may impose a time limit on members' statements as he or she sees fit;
- (c) The Chair shall then call a further vote, and
- (d) If there remains no agreement on the issue concerned, the disputed item shall be held over to the next scheduled Integration Joint Board meeting and a further paper on the matter presented by the Chief Officer for consideration by the Integration Joint Board.

For the avoidance of doubt, the person so chairing the meeting shall not have a casting vote in the event of a tie.

**12. Committees**

- 12.1. The Integration Joint Board may establish Committees of its members for the purpose of carrying out such functions as the Integration Joint Board may determine.
- 12.2. Any Committee established must have its constitution and terms of reference approved by the Integration Joint Board and must include an equal number of voting members of the Integration Joint Board from each of the constituent authorities. Any

decision of a Committee relating to the carrying out of functions under the Act or to integration functions must be agreed by a majority of the votes of the voting members who are members of the Committee.

- 12.3. Members of the Integration Joint Board shall be sent electronically the agenda and papers for all Committee meetings at the same time as they are issued to Committee Members. Other Integration Joint Board Members, who are not members of the Committee, shall be entitled to attend Committee meetings and contribute to the debate, however such Members may not vote on any item put to the Committee.
- 12.4. Members of Committees may appoint another Integration Joint Board member (from the same category of membership as themselves) as a proxy to represent them when they are unable to attend a Committee meeting. The member who is unable to attend, shall notify the Chief Officer (or nominee) that a proxy will attend in their place. A proxy nominated under these provisions shall be able to vote on any decision put to the Committee.
- 12.5. The Integration Joint Board is responsible for the appointment of Chairs and Vice-Chairs of Committees.
- 12.6. A Committee may, notwithstanding that a matter is delegated, refer any matter for decision to the Integration Joint Board.
- 12.7. Minutes of Committees shall be presented to the Integration Joint Board at the next scheduled meeting. Minutes must be approved by the next scheduled meeting of the Committee to which the minute relates. These should only be referred back to the Integration Joint Board if there are substantial amendments to the minute which the Integration Joint Board has already received.
- 12.8. The constitution, remit and Membership of Committees, including the position of Chair and Vice-Chair shall be reviewed periodically by the Integration Joint Board. Chairs and Vice-Chairs may be reappointed if eligible.
- 12.9. These Standing Orders apply equally to Committees of the Integration Joint Board as they do the Integration Joint Board, subject to any modification as is required to meet the terms of reference and constitution of Committees.
- 12.10. Meetings of Committees shall be routinely open to the public and media, unless the meeting has passed a resolution to exclude the public and media on grounds that publicity for any item under discussion would be prejudicial to the public interest due to the confidential nature of the business to be transacted or for other reason specified in the resolution.

### **13. Codes of Conduct and Conflict of Interest**

- 13.1. Members of the Integration Joint Board shall subscribe to and comply with the Code of Conduct for the North Lanarkshire Health and Social Care Integration Joint Board.
- 13.2. All Members are required to complete a register of interests in a standard format to comply with their obligations under the Code of Conduct, within a month of appointment and when any changes occur. A form to register interests will be sent to all Members on appointment and shall be renewed annually. Details of declarations made are available for inspection at the Standards Officer's Principal Offices.
- 13.3. If any Member has a financial or non-financial interest as defined in the Code of Conduct and is present at any meeting at which the matter is to be considered, he/she must as soon as practical, after the meeting starts, disclose:-
  - (a) that he/she has an interest, and

(b) the nature of that interest.

The member shall determine if the interest is such that he/she should exclude themselves from the debate on the issue.

13.4. If a Member or any associate of theirs has any pecuniary or any other interest direct or indirect, in any contract or proposed contract or other matter and that Member is present at a meeting of the Integration Joint Board, that Member shall disclose the fact at the commencement of the meeting and advise on the nature of the relevant interest. A Member shall not be treated as having any interest in any contract or matter if it cannot reasonably be regarded as likely to significantly affect or influence the voting by that Member on any question with respect to that contract or matter.

#### 14. Execution of Documents

14.1. Any document or proceeding requiring authentication by the Integration Joint Board shall be subscribed by two of the following: Chief Officer (or nominee); the Chief Officer Finance (or nominee) and Chief Social Work Officer (or nominee).

14.2. The Chief Officer Finance shall maintain a record of officers authorised to sign documents on behalf of the Integration Joint Board in accordance with provisions of Standing Financial Instructions.

14.3. Where a document requires for the purpose of any enactment or rule of law relating to the authentication of documents under the Law of Scotland, or otherwise requires to be authenticated on behalf of the Integration Joint Board, it shall be signed by the Chief Officer or any person duly authorised to sign under the Scheme of Delegation to Officers in accordance with the provisions of the Requirements of Writing (Scotland) Act 1995.

14.4. Before authenticating any document, the person authenticating the document shall satisfy themselves that all necessary approvals in terms of the Integration Joint Board's procedures have been satisfied. A document executed by the Integration Joint Board in accordance with this Article shall be self-proving for the purpose of the Requirement of Writing (Scotland) Act 1995.

14.5. Any authorisation to sign documents granted to any individual shall terminate upon that person ceasing (for whatever reason) from holding a position of authority with the Integration Joint Board, without further intimation or action by the Integration Joint Board.