

## **EAST AYRSHIRE INTEGRATION JOINT BOARD**

### **STANDING ORDERS FOR MEETINGS**

<b>Date</b>	<b>Version</b>	<b>Approved by</b>
<b>2<sup>nd</sup> April 2015</b>	<b>1</b>	<b>IJB</b>

## 1. General

**1.1** These Standing Orders are made under the Public Bodies (Joint Working) (Scotland) Act 2014 and the Public Bodies (Joint Working) (Integration Joint Boards) (Scotland) Order 2014. These Standing Orders shall, as far as applicable be the rules and regulations for the proceedings of Committees and Sub-Committees and therefore reference to the term 'Board' in the said Standing Orders should be interpreted accordingly. The term 'Chairperson' shall also be deemed to include the Chairperson of any Committee or Sub-Committee but only in relation to such Committees or Sub-Committees.

**1.2** In these Standing Orders "the Integration Joint Board" shall mean the East Ayrshire Integration Joint Board established in terms of the (SSI 2015/88) Order 2015

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

## 2. Membership

**2.1** Voting membership of the Integration Joint Board shall comprise four persons nominated by the NHS Board, and four persons appointed by the Council. Where the NHS Board is unable to fill its places with non-Executive Directors it can then nominate other appropriate people, who must be members of the NHS Board to fill their spaces, but at least two must be non-executive members.

**2.2** Non-voting membership of the Integration Joint Board shall comprise:

- a. the chief social work officer of the local authority;
- b. the chief officer of the Integration Joint Board;
- c. the proper officer of the Integration Joint Board appointed under section 95 of the Local Government (Scotland) Act 1973;
- d. 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;
- e. 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;
- f. a registered medical practitioner employed by the Health Board and not providing primary medical services.
- g. one member in respect of staff of the constituent authorities engaged in the provision of services provided under integration functions;
- h. one member in respect of third sector bodies carrying out activities related to health or social care in the area of the local authority;
- i. one member in respect of service users residing in the area of the local authority;
- j. one member in respect of persons providing unpaid care in the area of the local authority; and

- k. 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.

The members appointed under paragraphs (d) to (f) must be determined by the Health Board.

- 2.3** A member of the Integration Joint Board in terms of 2.2 (a) to (c) will remain a member for as long as they hold the office in respect of which they are appointed. Otherwise, the term of office of Members of the Integration Joint Board shall be for two years or until the day of the next ordinary Elections for Local Government Councillors in Scotland, whichever is shorter.
- 2.4** 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 they replace.
- 2.5** 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.
- 2.6** A voting Member appointed under paragraph 2.1 ceases to be a member of the Integration Joint Board if they cease to be either a Councillor or a non- executive Director of the NHS Board or an Appropriate Person in terms of the Public Bodies (Joint Working) (Integration Joint Boards) (Scotland) Order 2014.
- 2.7** A Member of the Integration Joint Board, other than those Members referred to in paragraph 2.2(c) to (e), may resign his/her membership at any time during their term of office by giving notice to the Integration Joint Board in writing. The resignation shall take effect from the date notified in the notice or on the date of receipt if no date is notified. If this is a voting member the Integration Joint Board must inform the constituent authority that made the nomination.
- 2.8** If a Member has not attended three consecutive Ordinary Meetings of the, Integration Joint Board , and their absence was not due to illness or some other reasonable cause as determined by the Integration Joint Board , the Integration Joint Board may, by giving one month's notice in writing to that Member, remove that person from office.
- 2.9** 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.
- 2.10** If a member is disqualified under article 8 of the Public Bodies (Joint Working) (Integration Joint Boards) (Scotland) Order 2014 during a term of office they are to be removed from office immediately.
- 2.11** A constituent authority may remove a member which it nominated by providing one month's notice in writing to the member and the Integration Joint Board.

**2.12** Named Depute Members for Members of the Integration Joint Board may be appointed by the constituent authority which nominated the Member, or the Member as appropriate. The appointment of such Deputies will be subject to the same rules and procedures for Members. Deputies shall receive papers for Meetings of the Integration Joint Board but shall be entitled to attend or vote at a Meeting only in the absence of the principal Member they represent. If the Chairperson or Vice Chairperson is unable to attend a meeting of the Integration Joint Board, any Depute Member attending the meeting may not preside over that meeting.

**2.13** The acts, meetings or proceedings of the Integration Joint Board shall not be invalidated by any defect in the appointment of any Member.

### **3. Chairperson and Vice Chairperson**

**3.1** The Chairperson and Vice Chairperson will be drawn from the NHS Board and the Council voting members of the Integration Joint Board. If a Council member is to serve as Chairperson then the Vice Chairperson will be a member nominated by the NHS Board and vice versa. The first Chair of the Integration Joint Board will be appointed on the nomination of the Council (East Ayrshire Council –NHS Board).

**3.2** The appointment to Chairperson and Vice Chairperson is time limited to a period not exceeding two years and carried out on a rotational basis between Council and NHS Board appointed Chairperson. The term of office of the first Chairperson will be for the period to the local government elections in 2017, thereafter the term of office of the Chairperson will be for a period of two years. The Council or NHS Board may change their appointee as Chairperson or Vice Chairperson during an appointing period.

**3.3** The Vice-Chairperson may act in all respects as the Chairperson of the Integration Joint Board if the Chair is absent or otherwise unable to perform his/her duties.

**3.4** At every meeting of the Integration Joint Board the Chairperson, if present, shall preside. If the Chairperson is absent from any meeting the Vice-Chairperson, if present, shall preside. If both the Chairperson and the Vice-Chairperson are absent, a Chairperson shall be appointed from within the members present for that meeting. Any Depute Member attending the meeting in terms of 2.13 may not preside over that meeting.

**3.5** Powers, authority and duties of Chairperson and Vice-Chairperson.

The Chairperson shall amongst other things:

- (a) Preserve order and ensure that every Member has a fair hearing;
- (b) 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;
- (c) Determine the order in which speakers can be heard;
- (d) Ensure that due and sufficient opportunity is given to Members who wish to speak to express their views on any subject under discussion;

- (e) If requested by any Member ask the mover of a motion, or an amendment, to state its terms;
- (f) Maintain order and at his/her discretion, order the exclusion of any member of the public who is deemed to have caused disorder or misbehaved;
- (g) The decision of the Chairperson on all matters within his/her jurisdiction shall be final;
- (h) Deference shall at all times be paid to the authority of the Chairperson. When he/she rises to speak, the Chairperson shall be heard without interruption; and;
- (i) Members shall address the Chairperson while speaking;

#### **4. Meetings**

- 4.1** The first meeting of the Integration Joint Board will be convened at a time and place to be determined by the Chairperson. Thereafter Integration Joint Board shall meet at such place and such frequency as may be agreed by the Integration Joint Board.
- 4.2** The Chairperson 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 Chairperson. If the Office of Chairperson is vacant, or if the Chairperson is unable to act for any reason the Vice-Chairperson may at any time call such a meeting.
- 4.3** If the Chairperson 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 Chairperson or if, without so refusing, the Chairperson 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.
- 4.4** Adequate provision will be made to allow for members to attend a meeting of the Integration Joint Board or a committee of the Integration Joint Board either by being present together with other members in a specified place, or in any other way which enables members to participate despite not being present with other members in a specified place;.

#### **5. Notice of Meeting**

- 5.1** Before every meeting of the Integration Joint Board, or committee of the Integration Joint Board, a notice of the meeting, specifying the time, place and business to be transacted at it and signed by the Chairperson, or by a Member authorised by the Chairperson to sign on that person's behalf, shall be delivered to every Member or sent by post to the usual place of residence of such Members or delivered by electronic means so as to be available to them at least five days before the meeting. Members may opt in writing addressed to the Chief Officer to have notice of meetings delivered to an alternative address. Such notice will remain valid until rescinded in writing. Lack of service of the notice on any member shall not affect the validity of anything done at a meeting.

- 5.2** In the case of a meeting of the Integration Joint Board called by Members in default of the Chairperson, the notice shall be signed by those Members who requisitioned the meeting.
- 5.3** At all Ordinary or Special Meetings 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 specified in the minutes, the Chairperson is of the opinion that the item should be considered at the meeting as a matter of urgency.

## **6. Quorum**

- 6.1** No business shall be transacted at a meeting of the Integration Joint Board unless there are present, and entitled to vote both Council and NHS Board members and at least one half of the voting Members of the Integration Joint Board are present.
- 6.2** If within ten minutes after the time appointed for the commencement of a meeting of the Integration Joint Board, a quorum is not present, the meeting will stand adjourned to such date and time as may be fixed and the minute of the meeting will disclose the fact.

## **7. Codes of Conduct and Conflicts of Interest**

- 7.1** Members of the Integration Joint Board shall subscribe to and comply with both the Standards in Public Life - Code of Conduct for Members of Devolved Public Bodies and Councillors Code of Conduct and Guidance made in respect thereto which are deemed to be incorporated into these Standing Orders. All members who are not already bound by the terms of either Code shall be obliged before taking up membership, to agree in writing to be bound by the terms of the Code of Conduct for Members of Devolved Public Bodies.
- 7.2** If any Member has a financial or non-financial interest as defined in the Councillors' Code of Conduct or the Code of Conduct of Members of Devolved Public Bodies 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 that he/she has an interest and the nature of that interest and if he/she is precluded from taking part in consideration of that matter.
- 7.3** 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 and the nature of the relevant interest and shall not be entitled to vote on any question with respect to it. 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.
- 7.4** Where an interest is disclosed, the other members present at the meeting in question must decide whether the member declaring the interest is to be prohibited from taking part in discussion of or voting on the item of business.

## **8. Adjournment of Meetings**

**8.1** A meeting of the Integration Joint Board may be adjourned to another date, time or place by a motion, which shall be moved and seconded and put to the meeting without discussion. 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.

## **9. Disclosure of Information**

**9.1** No Member or Officer shall disclose to any person any information which falls into the following categories:-

- Confidential information within the meaning of Section 50(a) (2) of the Local Government (Scotland) Act 1973.
- The full or any part of any document marked "not for publication by virtue of the appropriate paragraph of Part 1 of Schedule 7A of the Local Government (Scotland) Act 1973, unless and until the document has been made available to the public or press under section 50B of the said 1973 Act.
- Any information regarding proceedings of the Integration Joint Board from which the public have been excluded unless or until disclosure has been authorised by the Integration Joint Board or the information has been made available to the press or to the public under the terms of the relevant legislation.

**9.2** Without prejudice to the foregoing no Member shall use or disclose to any person any confidential and/or exempt information coming to his/her knowledge by virtue of his/her office as a Member where such disclosure would be to the advantage of the Member or of anyone known to him/her or which would be to the disadvantage of the Integration Joint Board.

## **10. Recording of Proceedings**

**10.1** No sound, film, video tape, digital or photographic recording of the proceedings of any Meeting shall be made without the prior written approval of the Integration Joint Board.

## **11. Admission of Press and Public**

**11.1** Subject to the extent of the accommodation available and except in relation to items certified as exempt, meetings of the Integration Joint Board shall be open to the public. The Chief Officer shall be responsible for giving public notice of the time and place of each meeting of the Integration Joint Board by posting within the main offices of the Integration Joint Board not less than five days before the date of each meeting.

**11.2** The Integration Joint Board may by resolution at any meeting exclude the press and public therefrom during consideration of an item of business where it is likely in view of the nature of the business to be transacted or of the nature of the proceedings that if members of the press and public were present there would be a disclosure to them of exempt information as defined in Schedule 7(A) of the Local Government (Scotland)

Act 1973 Act or it is likely that confidential information would be disclosed in breach of an obligation of confidence.

**11.3** Every meeting of the Integration Joint Board shall be open to the public but these provisions shall be without prejudice to the Integration Joint Board's powers of exclusion in order to suppress or prevent disorderly conduct or other misbehaviour at a meeting. The Integration Joint Board may exclude or eject from a meeting a member or members of the press and public whose presence or conduct is impeding the work or proceedings of the Integration Joint Board.

## **12. Alteration, Deletion and Rescission of Decisions of the Integration Joint Board**

**12.1** Except insofar as required by reason of illegality, no motion to alter, delete or rescind a decision of the Integration Joint Board will be competent within six months from the decision, unless a decision is made prior to consideration of the matter to suspend this Standing Order in terms of Standing Order 13.

## **13. Suspension, Deletion or Amendment of Standing Orders**

**13.1** Any one or more of the Standing Orders in the case of emergency as determined by the Chair upon motion may be suspended, amended or deleted at any Meeting so far as regards any business at such meeting provided that two thirds of the Members of the Integration Joint Board present and voting shall so decide. Any motion to suspend Standing Orders shall state the number or terms of the Standing Order(s) to be suspended.

## **14. Motions, Amendment and Debate**

**14.1** It will be competent for any Member of the Integration Joint Board at a meeting of the Integration Joint Board to move a motion directly arising out of the business before the Meeting.

**14.2** No Member, with the exception of the mover of the motion or amendment, will speak supporting the motion or amendment until the same will have been seconded.

**14.3** Subject to the right of the mover of a motion, and the mover of an amendment, to reply, no Member will speak more than once on the same question at any meeting of the Integration Joint Board except:

- On a question of Order
- With the permission of the Chairperson
- In explanation or to clear up a misunderstanding in some material part of his/her speech.

In all of the above cases no new matter will be introduced.

**14.4** The mover of an amendment and thereafter the mover of the original motion will have

the right of reply for a period of not more than 5 minutes. He/she will introduce no new matter and once a reply is commenced, no other Member will speak on the subject of debate. Once these movers have replied, the discussion will be held closed and the Chairperson will call for the vote to be taken.

**14.5** Amendments must be relevant to the motions to which they relate and no Member will be at liberty to move or second more than one amendment to any motion, unless the mover of an amendment has failed to have it seconded. The mover and seconder of the motion will not move an amendment or second an amendment, unless the mover of the motion has failed to have it seconded.

**14.6** It will be competent for any Member who has not already spoken in a debate to move the closure of such debate. On such motion being seconded, the vote will be taken, and if a majority of the Members present vote for the motion, the debate will be closed. However, closure is subject to the right of the mover of the motion and of the amendment(s) to reply. Thereafter, a vote will be taken immediately on the subject of the debate.

**14.7** Any Member may indicate his/her desire to ask a question or offer information immediately after a speech by another Member and it will be the option of the Member to whom the question would be directed or information offered to decline or accept the question or offer of information.

**14.8** When a motion is under debate, no other motion or amendment will be moved except in the following circumstances:

- to adjourn the debate; or
- to close the debate in terms of Standing Order 14(f).

**14.9** A motion or amendment once moved and seconded cannot be altered or withdrawn unless with the consent of the majority of those present.

## **15. Voting**

**15.1** Every effort shall be made by Members to ensure that as many decisions as possible are made by consensus.

**15.2** Only the four Members nominated by the NHS Board, and the four Members appointed by the Council shall be entitled to vote.

**15.3** Every question at a meeting shall be determined by a majority of votes of the Members present and who are entitled to vote on the question. In the case of an equality of votes the Chair shall not have a second or casting vote.

**15.4** Where there is an equality of votes the voting members may agree that the decision will be made by a cut of cards or some other equitable method. If the voting members do not agree such a method of breaking the deadlock then no decision will be taken and the status quo shall prevail. Standing Order 12 shall not preclude reconsideration of any such item within a 6 month period.

## **16. Minutes**

**16.1** The names of the Members and others present at a meeting shall be recorded in the minutes of the meeting.

**16.2** The minutes of the proceedings of a meeting, including any decision or resolution made by that meeting, shall be drawn up and submitted to the next ensuing meeting for agreement by a person nominated by the Chief Officer, after which they will be signed by the person presiding at that meeting. A minute purporting to be so signed shall be received in evidence without further proof.

## **17. Committees and Working Groups**

**17.1** The Integration Joint Board may establish any Committee or Working Group as may be required from time to time but each Working Group shall have a limited time span as may be determined by the Integration Joint Board.

**17.2** The Membership, Chairperson, remit, powers and quorum of any Committee or Working Groups will be determined by the Integration Joint Board.

**17.3** Agendas for consideration at a Committee or Working Group will be issued by electronic means to all Members no later than two days (not including Saturday and Sunday) prior to the start of the meeting.