



## CÙRAM IS SLÀINTE NAN EILEAN SIAR

WESTERN ISLES HEALTH AND SOCIAL CARE PARTNERSHIP

### IJB Standing Orders

Report by Chief Officer, Health and Social Care

#### PURPOSE OF REPORT

1. To update the Joint Board on a request to review the Standing Orders, with a view to reforming the process of dispute resolution.

#### COMPETENCE

2. The matters arising in the report have no immediate financial, legal or HR implications.

#### SUMMARY

3. The IJB, in common with other public bodies, has an agreed set of Standing Orders to oversee its business. These Standing Orders describe how the IJB should operate in respect of its membership, chairmanship, meetings, decision-making, and so on.
4. A member of the IJB recently wrote to the Chair to ask if the dispute resolution procedures contained within the Standing Orders could be amended. That letter highlighted perceived incongruities with the existing procedures, namely, that the ordinary business of the IJB upon a vote being tied is subsequently referred to external parties for resolution (the Chair is not allowed a casting vote by law).
5. The reason for this is that the Standing Orders adopt the dispute resolution process defined in the Integration Scheme itself. Given that the latter is an agreement between the Health Board and the Council, it makes sense in that context to invoke a dispute resolution process that begins by remitting resolution to the two Chief Executives, escalates through the Health Board Chair and Council Leader, and culminates in a petition to Scottish Ministers.
6. Arguably, however, disputes that arise in the context of the ordinary business of the IJB would be better processed and resolved by alternative means. To that end, the IJB is asked to agree that the Chief Officer, with appropriate input from the IJB's Standards Officer (in practice, the Comhairle's Head of Legal Services), consults with IJB members (both voting and non-voting) to devise an alternative set of arrangements. Upon completion of this work, the revised procedures will be brought back to the IJB for agreement.

#### RECOMMENDATIONS

7. It is recommended that the IJB:
  - (a) Notes the request to review our dispute resolution processes; and
  - (b) Agrees that alternative processes be proposed following consultation with IJB members.

**Ron Culley, Chief Officer**  
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