

Appendix 1

Western Isles Health & Social Care Partnership
Cùram is Slàinte nan Eilean Siar

CÙRAM IS SLÀINTE NAN EILEAN SIAR
WESTERN ISLES INTEGRATION JOINT BOARD
DRAFT STANDING ORDERS FOR MEETINGS

General

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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 Board" shall mean the Western Isles Integration Joint Board commonly known as Cùram is Slàinte nan Eilean Siar ([IJB](#)) established in terms of The Public Bodies (Joint Working) (Integration Joint Board Establishment) (Scotland) Order 2015-

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

2. Membership

2.1 Voting Membership of the Integration Board shall comprise four persons nominated by the NHS Western Isles, and four persons appointed by Comhairle nan Eilean Siar.

2.2 Non-voting Membership of the Integration Board shall comprise:

- a. the chief social work officer of the local authority;
- b. the chief officer of the Integration Board;
- c. the proper officer of the Integration 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
- e. a registered nurse who is employed by the Health Board or by a person or body
- f. a registered medical practitioner employed by the Health Board and not
- g. one Member in respect of staff of the constituent authorities engaged in the
- h. one Member in respect of third sector bodies carrying out activities related to
- i. one Member in respect of service users residing in the Western Isles
- j. one Member in respect of persons providing unpaid care in the Western Isles;
- k. such additional Members as the Integration Board sees fit. Such a Member may not be a Councillor or a non-executive director of the Health Board; and
- l. ~~the Chief Executives of the Comhairle and NHS Western Isles.~~

The Members appointed under paragraphs (d) to (f) must be determined by NHS Western Isles.

[The Chief Executives of Comhairle nan Eilean Siar and NHS Western Isles shall have the right to attend IJB meetings in an advisory capacity.](#)

2.3 A Member of the Integration 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 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 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 Board, other than those Members referred to in paragraph 2.2(d) to (f), may resign his/her Membership at any time during their term of office by giving notice to the Integration 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 Board must inform the constituent authority that made the nomination.

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2.8 If a Member has not attended three consecutive Ordinary Meetings of the, Integration Board, and their absence was not due to illness or some other reasonable cause as determined by the Integration Board, the Integration 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 Board into disrepute or in a way which is inconsistent with the proper performance of the functions of the Integration Board as evidenced by a finding that he or she has breached the Code of Conduct for Members of Devolved Public Bodies, the Integration Board may remove the Member from office with effect from such date as the Integration 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 Board.

2.12 Named Depute Members for Members of the Integration Board may be appointed by the constituent authority which nominated 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 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 Board, any Depute Member attending the meeting may not preside over that meeting.

2.13 [Any councillor or non-executive Director of NHS Western Isles who wishes to participate in a discussion at any Meeting of the Integration Board may seek the consent of the Chairperson to do so at least one working day prior to the meeting specifying the reason for the request. The Chairperson will accede to the request in the event that he/she considers that the councillor's or non-executive Director's participation will enable the Integration Board to consider information not otherwise before it.\(To be discussed at meeting.\)](#)

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

Chairperson and Vice Chairperson

3.1 The Chairperson and Vice Chairperson will be drawn from the NHS Board and the Comhairle voting Members of the Integration Board. If a NHS Board Member is to serve as Chairperson then the Vice Chairperson will be a Member nominated by the Comhairle and vice versa. The first Chair of the Integration Board will be appointed on the nomination of the 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 NHS Board and Comhairle appointed Chairpersons. The term of office of the first Chairperson will be for the period to ~~the local government elections in 2017~~ September 2017, thereafter the term of office of the Chairperson will be for a period of two years. The NHS or Comhairle 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 Board if the Chair person is absent or otherwise unable to perform his/her duties.

3.4 At every meeting of the Integration 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) Ask the mover of a motion, or an amendment, to state its terms in writing;
- (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 speaks, 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 Board will be convened at a time and place to be determined by the Chairperson. Thereafter the Integration Board shall meet at such place and such frequency as may be agreed by the Integration 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 The Chairperson ~~shall~~ refuses to call a meeting of the Integration 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~~.

- 4.4 Adequate provision will be made to allow for Members to attend a meeting of the Integration Board or a committee of the Integration 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 Board, or committee of the Integration Board, a notice of the meeting, specifying the time, place and business to be transacted at it 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 working 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.
- [\[Do we wish to state electronic means and provide right for individual member to request by post?\]](#)

- 5.2 [Any such notice will also be published on the websites of both NHS Western Isles and the Comhairle together with links to all Reports to be considered in public.](#)

- 5.3 At all Ordinary or Special Meetings of the Integration 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 Board unless there are present, and entitled to vote both Comhairle and NHS Western Isles Members and at least one half of the voting Members of each of the Comhairle and NHS Western Isles are present

- 6.2 If within ten minutes after the time appointed for the commencement of a meeting of the Integration 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 Board shall subscribe to and comply with the Standards in Public Life - Code of Conduct for Members of Devolved Public Bodies which is deemed to be incorporated into these Standing Orders. All Members who are not already bound by the terms of the 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 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~~ [any other person as defined in Clause 5.10 of the said Code of Conduct](#) 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 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

A Member who has an interest in service delivery may participate in the business of the Shadow IJB, except where they have a direct and significant interest in the matter. However, the Shadow IJB may formally decide and record in the Minutes of the Meeting that the public interest is best served by the Member remaining in the Meeting and contributing to the discussion. During the taking of a decision by the Shadow IJB on such matter, the Member concerned shall absent him/herself from the Meeting.

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Adjournment of Meetings

8.1

A meeting of the Integration 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:-

(a) Confidential information within the meaning of Section 50(a) (2) of the Local Government (Scotland) Act 1973 or equivalent health provision

(b) The full or any part of any document marked "for any of the following reasons;

- Information relating to a particular employee, former employee or applicant to become an employee of, or a particular office holder or former office holder, or applicant to become an office holder under, the Comhairle or NHS Western Isles.

- ~~Information relating to any particular occupier or former occupier of, or applicant for, accommodation provided by or at the expense of the Comhairle.~~

- Information relating to any particular applicant for, or recipient or former recipient of, any service provided by Cùram is Slàinte nan Eilean Siar (IJB) the Comhairle.

- Information relating to any particular applicant for, or recipient or former recipient of, any financial assistance provided by Cùram is Slàinte nan Eilean Siar (IJB) the Comhairle.

~~Information relating to the adoption, care, fostering or education of any particular child or relating to the supervision or residence of any particular child in accordance with a supervision requirement made in respect of that child under the Social Work (Scotland) Act 1968.~~

- Information relating to the financial or business affairs of any particular person (other than Cùram is Slàinte nan Eilean Siar (IJB) the Comhairle.

- Information relating to anything done or to be done in respect of any particular person for the purposes of any of the matters referred to in Section 27(1) of the Social Work (Scotland) Act 1968 (providing Reports on and supervision of certain persons).

- The amount of any expenditure proposed to be incurred by Cùram is Slàinte nan Eilean Siar (IJB) the Comhairle under any particular contract for the acquisition of property or the supply of goods or services.

- Any terms proposed or to be proposed by or to Cùram is Slàinte nan Eilean Siar (IJB) the Comhairle in the course of negotiations for a contract for the acquisition or disposal of property or the supply of goods or services.

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~~• The identity of the Comhairle (as well as of any other person, by virtue of paragraph 6 above) as the person offering any particular tender for a contract for the supply of goods or services.~~

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- Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between Cùram is Slàinte nan Eilean Siar (IJB) the Comhairle or a Minister of the Crown and employees of, or office holders under, Cùram is Slàinte nan Eilean Siar the Comhairle.
- Any instructions to Counsel and any Opinion of Counsel (whether or not in connection with any proceedings) and any advice received, information obtained or action to be taken in connection with:
- any legal proceedings by or against Cùram is Slàinte nan Eilean Siar (IJB) the Comhairle; or
- the determination of any matter affecting Cùram is Slàinte nan Eilean Siar (IJB) the Comhairle;
- (whether, in either case, proceedings have been commenced or are in contemplation).

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• Information which, if disclosed to the public, would reveal that Cùram is Slàinte nan Eilean Siar (IJB) the Comhairle proposes:

- to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
- to make an order or direction under any enactment.
- Any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.
- the identity of a protected informant.
- Any specific NHS provision

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(c) Any information regarding proceedings of the Integration Board from which the public have been excluded unless or until disclosure has been authorised by the Integration Board or the information has been made available to the press or to the public under the terms of the relevant legislation.

10 Recording of Proceedings

10.1 No sound, film, videotape, digital or photographic recording of the proceedings of any Meeting shall be made without the prior written approval of the Integration Board. For the avoidance of any doubt the restrictions in the first sentence apply to the use of smart phones, tablets and phablets. Meetings of the Integration Board will be broadcast and recorded for minuting purposes.

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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~~ not for publication in terms of 9.1(b) above, meetings of the Integration 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 Board by posting within the main offices of the Integration Board not less than **five working days** before the date of each meeting.

11.2 The Integration 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 9.1\(b\) above](#) it is likely that confidential information would be disclosed in breach of an obligation of confidence.

11.3 Every meeting of the Integration Board shall be open to the public but these provisions shall be without prejudice to the Integration Board's powers of exclusion in order to suppress or prevent disorderly conduct or other misbehavior at a meeting. The Integration 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 Board

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

12.1 Except insofar as required by reason of illegality, no motion to alter, delete or rescind a decision of the Integration Board will be competent within twelve 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 [or the Chairperson rules that there has been a material change of circumstances since the decision, which material change shall be recorded in the minute of the meeting.](#)

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 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 [Every effort shall be made by Members to ensure that as many decisions as possible are made by consensus.](#) It will be competent for any voting Member of the Integration Board at a meeting of the Integration Board to move a motion [or amendment](#) directly arising out of the business before the Meeting.

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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 Board except:-

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- 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 in 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. [If the mover of an amendment has](#)

[failed to have the amendment seconded, he or she may request to have his or her dissent recorded in the minute of the meeting.](#)

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 voting 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

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 14.6.

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.

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Voting

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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 Comhairle 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 a consensus cannot be reached at one meeting, the matter under discussion will be carried forward to the next meeting to permit further discussion/resolution. 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~~ twelve month period. or

Alternative Clause 15.4

Every question at a Meeting shall be determined by a majority of votes of the Voting 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. If the Members still wish to pursue the issue voted on the Chair may either adjourn consideration of the matter to the next meeting of the Shadow IJB or to a special meeting of the Shadow IJB to consider the matter further or refer the matter to dispute resolution as provided for in the Integration Scheme.

16

Minutes

16.1

The names of the Members, officers 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 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 Board.

17.2

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

17.3

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