



Shetland Health and Social Care Partnership

Standing Orders for Meetings of the Integration Joint Board

Approved 29 July 2015

1.0 INTRODUCTION

- 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 Shetland Islands Integration Joint Board 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 they are in conflict with the Standing Orders.

2.0 MEMBERSHIP

- 2.1 The Integration Joint Board shall have two categories of members:
 - Voting Members; and
 - Non-Voting Members.
- 2.2 The Shetland Islands Health and Social Care Partnership Integration Scheme 2015 prescribes the list of non-voting members who are to be included in the membership.
- 2.3 Shetland Islands Council and Shetland NHS Board shall attend to any issues relating to the resignation, removal and disqualification of members in line with the Scheme. If and when a voting member ceases to be a councillor or a member of the NHS Board for any reason, either on a permanent or temporary basis, then that individual ceases to be a member of the Integration Joint Board.
- 2.4 If a voting member is unable to attend a meeting of the Integration Joint Board, the relevant constituent authority is to use its best endeavours to arrange for a

suitably experienced substitute, who is either a councillor, or as the case may be, a member of the health board. The substitute voting member may vote on decisions put to that meeting, but may not preside over the meeting.

- 2.5 If a non-voting member is unable to attend a meeting of the Integration Joint Board, that member may arrange for a suitably experienced substitute to attend the meeting subject to prior agreement with the Chairperson.
- 2.6 Further detailed provisions relating to the membership and terms office of the Integration Joint Board and the establishment of Committees, Sub-Committees and Working Groups, are addressed in the Shetland Islands Health and Social Care Partnership Integration Scheme 2015, and in the Integration Joint Board Scheme of Administration.

3.0 WHO PRESIDES AT MEETINGS

- 3.1 At every meeting of the Integration Joint Board the Chairperson, if attending the meeting, shall preside. If the Chairperson is absent from any meeting the Vice-Chairperson shall preside. If both the Chairperson and the Vice-Chairperson are absent, a Chairperson shall be appointed from within the voting members present for that meeting.

4.0 THE POWERS AND DUTIES OF THE CHAIRPERSON

- 4.1 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) 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
 - (g) Members shall address the Chairperson while speaking.
- 4.2 The Chairperson of 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.
- 4.3 The Chairperson will decide on all matters of order, competency, relevancy and urgency, and that ruling will be final.

5.0 MEETINGS

5.1 First Meeting

5.1.1 The first meeting of the Integration Joint Board will be convened at a time and place to be determined by the Chairperson.

5.2 Ordinary Meetings

5.2.1 Ordinary Meetings of the Integration Joint Board shall meet on such dates, times and at locations as may be agreed in advance by the Integration Joint Board.

5.3 Special Meetings

5.3.1 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.

5.3.2 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.

5.3.3 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 Chief Officer, or by an appropriate person through Corporate Support Services, authorised by the Chief Officer, 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 clear days before the meeting, unless for any reason the meeting is called at shorter notice. 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.

5.3.4 Lack of service of the notice on any member shall not affect the validity of anything done at a meeting.

5.3.5 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.

5.3.6 With regard to calculating clear days for the purpose of an agenda notice, the following days are to be excluded: the day the notice is sent; the day of the meeting; and weekends.

Urgent Items

5.3.7 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.

5.4 Adjournment of Meetings

5.4.1 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.

5.5 Quorum

5.5.1 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 [three] of the voting Members of the Integration Joint Board are present.

5.5.2 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

5.6 Remote Participation

5.6.1 The Integration Joint Board may be conducted in any other way in which each member is enabled to participate although not present with others in such a place. This includes by telephone or video-conference. Such a meeting, or any part of a meeting which is not held in public in accordance with Standing Order 5.8, shall only be conducted on the ruling of the Chairperson, whom failing, the Vice-chairperson, of the Integration Joint Board.

5.7 Code of Conduct and Conflicts of Interest

5.7.1 Voting and non-voting Members of the Integration Joint Board shall subscribe to and comply with the Code of Conduct for Members of Devolved

Public Bodies made in respect there to which is deemed to be incorporated into these Standing Orders. All members 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. The Chief Officer or his/her authorised nominee, shall maintain the Integration Joint Board's Register of Interests. The Register shall be available for public inspection at the principal offices of the parties to the Integration Joint Board.

5.7.2 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, and before taking part in any discussion on that item, 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.

5.7.3 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 and shall leave the meeting. 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.

5.7.4 Where an interest is disclosed under paragraphs 5.7.2 and 5.7.3 above, 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.

5.8 Public attendance at meetings

5.8.1 Every meeting of the Integration Joint Board will be open to members of the public, except in the following circumstances when members of the public will be excluded by resolution of the Integration Joint Board:

- Consideration of any document or matter classed as containing confidential information within the meaning of Section 50(a)(2) of the Local Government (Scotland) Act 1973;
- Consideration of any document, 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;
- Consideration of any business relating to the commercial interests of any person and confidentiality is required;
- Consideration of any business which involves reference to personal information and requires to be discussed in private in order to uphold the Data Protection Principles;
- Consideration of any business which the Integration Joint Board is otherwise legally obliged to respect the confidentiality of the information being discussed.

5.8.2 No Member or Officer shall disclose to any person any information which falls into the above categories, nor 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.

5.8.3 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.

5.9 Recording of Proceedings

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

5.10 Public Notice

5.10.1 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 parties of the Integration Joint Board not less than five clear days before the date of each meeting, unless for any reason under standing order 4.3 a meeting is called at shorter notice.

6.0 RULES FOR DISCUSSION AND DECISION MAKING

6.1 Discussion

6.1.1 It is the duty of all Members to ensure they have all of the information they require in order to reach an informed decision on any item of business. Accordingly, in addition to the papers which have been issued to members, prior to any decision being reached on the item, the Chairperson will at any time:

- afford an opportunity to the relevant SIC or NHS officer presenting the report, or to any adviser to the Integration Joint Board, or representative Members to provide any further information or brief explanation as they may feel is necessary;
- afford a reasonable opportunity to any Member, Officer or Adviser to ask questions in order to seek further information or explanation;
- Following discussion a clear consensus may emerge allowing the voting Members of the IJB to proceed to make a final decision. However it is open to the Chairperson at any time during that discussion to give warning that s/he requires any motion and amendments to be placed before him/her or the discussion will be brought to a close. It is a matter for the Chairperson to decide at what point s/he may accept a motion to put to the meeting for a decision.

6.2 Motions and Amendments

6.2.1 It will be competent for any voting 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.

6.2.2 No Member, with the exception of the mover of the motion or amendment, will speak supporting the motion or amendment until the motion or amendment has been seconded.

6.2.3 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:-

- 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.

6.2.4 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 has 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.

6.2.5 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.

6.3 Procedural Motions

6.3.1 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.

6.3.2 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.

6.3.3 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.

6.4 Voting

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

6.4.2 Only the three voting Members appointed by the NHS Board, and the three voting Members appointed by the Shetland Islands Council shall be entitled to vote.

6.4.3 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. A vote will be taken by a show of hands, unless the Board resolves in the case of any particular decision to take the vote by secret ballot or by any other method determined by the Board, including roll call. Different provisions apply to appointments, as set out in Standing Orders 6.4.8 to 6.4.12.

6.4.4 In the case of an equality of votes the person presiding at the meeting does not have a second or casting vote.

6.4.5 In the case of an equality of votes, and if the Board wish to pursue the issue voted on, the Chair of the Integration Joint Board, on reflection of the discussion, will bring consideration of the matter to a close for that meeting, and give direction to the Chief Officer on how the matter should be taken forward to the next ordinary meeting, or a special meeting, of the Integration Joint Board, to consider the matter further. The Chief Officer will then be

obliged to review the matter, in consultation the Chair and Vice-Chair, with the aim of addressing any concerns, and developing a proposal which the Integration Joint Board can reach a decision upon. Standing Order 6.5.1 shall not preclude reconsideration of any such item within a 6 month period.

6.4.6 Where the matter remains unresolved, and the Chair concludes that the equality of votes is effectively a representation of a dispute between the two constituent parties, then the dispute resolution process which is set out in Section 14 of the Integration Scheme shall take effect. Otherwise, the matter will remain unresolved and status quo shall remain.

Roll Call Voting

6.4.7 A voting member may ask for a vote to be taken by calling the roll. If a majority of the voting members present agree then the vote will be taken in that way and the names of those voting for or against the motion or amendment(s) will be taken down and recorded in the minutes.

Appointments

6.4.8 When Members are to be appointed to any positions to be filled by the Board, and where the number of candidates nominated exceeds the number of vacancies, the members to be appointed will be determined by a vote or votes in each of which Members will be entitled to vote for as many candidates as there are vacancies; but they may not cast more than one vote for any candidate.

6.4.9 The vote will normally be taken by a show of hands, unless the Board resolves in the case of any particular appointment to take the vote by secret ballot.

6.4.10 The name of the candidate having fewest votes will be deleted from the list and a fresh vote, or votes, will be taken. This process of elimination will be continued until the number of candidates equals the number of vacancies.

6.4.11 Where only one vacancy requires to be filled, and any candidate has an absolute majority of the votes, the candidate will be declared appointed. Otherwise, the name of the candidate having fewest votes will be deleted from the list. This process of elimination will be continued until one candidate has a majority of the votes.

6.4.12 If in any vote among more than two candidates there is equality of votes among the candidates having the least votes, the candidates whose names will be eliminated will be determined by an additional vote. The candidate having fewest votes will be deleted from the list. Where in any additional vote there is equality in votes, the candidate to be eliminated will be determined by lot.

6.5 Alteration or Revocation of Decisions of the Integration Joint Board

6.5.1 Except insofar as required by reason of illegality, no motion to alter or revoke 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.

6.6 Minutes

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

6.6.2 Minutes of meetings of the Integration Joint Board will be included on the agenda for the next ordinary meeting of the body to which the minutes relate. At that meeting they will be considered, corrected if need be, and where they are held to be a correct record of the meeting, they will be signed by the person presiding at that next ordinary meeting.

6.6.3 No discussion or amendment will be competent on minutes submitted other than an amendment to the effect that they are not a correct record. Any

amendment will include the words of the alteration which is proposed to the minutes. An objection to the correctness of a minute will be dealt with by way of an amendment to a motion to approve the minutes.

6.6.4 Only Members of the Board who were present at the meeting to which the minutes relate may vote on the correctness of these minutes.

7.0 PUBLIC PARTICIPATION

The Integration Joint Board welcomes community participation in the business which it is considering. The Board undertakes community engagement in terms of its Participation and Engagement Strategy and communities are encouraged to participate in that way as the most effective process for involving them in the work of the Board. Beyond that the following arrangements are designed, in the interests of the Board and those who wish to be involved, to regulate participation at meetings of the Board.

7.1 Petitions

7.1.1 A petition bearing the signatures of not fewer than twenty members of the public who are ordinarily resident in Shetland which proposes that the Board considers a particular course of action on any competent matter will be received by the Board.

7.1.2 Where the petition is about an item of business which is otherwise included on the agenda for the meeting, the Board will receive the petition as part of its consideration of that business.

7.1.3 The petition will contain the names and addresses of those members of the public who wish to sign it, and will be submitted to the Chief Officer. Where the subject matter of the petition is concerned with an item of business which is otherwise on the agenda of the meeting concerned it must be lodged not later than one working day before the meeting concerned; but the

Chairperson may, at her/his sole discretion allow a petition to be received at shorter notice. Where the petition has been submitted in sufficient time, the Chief Officer will include the terms of the petition and a note of number of persons subscribing it with the papers for the meeting of the relevant body.

7.1.4 Having received the petition the Board will determine one of two courses of action –

- (a) whether to note the terms of the petition, or
- (b) whether to instruct the Chief Officer to provide a report for a subsequent meeting of the Board to deal with the matter appropriately under delegated powers

7.1.5 It will not be competent for the Board to take a substantive decision in the absence of a report referred to at sub paragraph (b) above.

7.2 Deputations

7.2.1 The Integration Joint Board may hear a deputation of not more than 3 persons on behalf of an organisation or group, including the organisers of a petition, on any competent matter.

7.2.2 The application for a deputation must be in writing, signed by a representative of the organisation or group wishing to be heard and setting out the matter on which they wish to be heard and delivered to the Chief Officer no later than 3 days before the meeting concerned; but the Chairperson may, at her/his sole discretion allow an application to be considered at shorter notice.

7.2.3 When an application is considered whether to hear a deputation, the merits of the matter itself will not be discussed. Unless the meeting agrees unanimously to hear or to refuse to hear the deputation, a vote will be taken without discussion on whether to hear the deputation.

7.2.4 A deputation will have up to 10 minutes to present its case. If the meeting decides to hear more than one deputation on the same subject, the deputations will be heard together, and the Chairperson will decide how much time to allow in total, up to a maximum of 10 minutes each.

7.2.5 The Chairperson will allow a period of 10 minutes, during which any Member may put two questions to the deputation that are relevant to the subject, but the merits of the case must not be discussed by Members whilst the deputation is being heard.

7.2.6 It will not be competent to move any motion arising from the subject matter raised by a deputation, unless the matter is included as an item of business on the agenda for the meeting, and discussion will be reserved until that item is reached.

7.2.7 Where the deputation is about a matter which is not otherwise included on the agenda for the meeting, having heard the deputation the Board will determine one of two courses of action –

- (a) whether to note what the deputation had to say, or
- (b) whether to instruct the Chief Officer to provide a report for the following meeting of the Board.

7.2.8 It will not be competent for the Board to take a substantive decision in the absence of a report referred to at sub paragraph (b) above.

7.2.9 It will not be competent to consider a request to be heard on the same matter within a period of six months of the original decision, unless the Chairperson is satisfied that a material change of circumstances has occurred: always provided that where a matter may be the subject of consideration on more than one occasion the Chairperson will, in her/his sole discretion, determine whether on each occasion the issue to be discussed is so closely related as to be regarded as the same matter.

8.0 SUSPENSION, DELETION OR AMENDMENT OF STANDING ORDERS

8.1 Any one or more of the Standing Orders in the case of emergency as determined by the Chairperson 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 voting 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.

8.2 The following Standing Orders are prescribed by legislation and cannot be suspended, deleted or amended by the Board:

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| 2.4 and 2.5 | Proxies – limited to voting not chairing |
| 3.1 | Conduct of meetings – Chairperson |
| 5.1.1, 5.3.1 and 5.3.2 | Calling and requisition of meetings |
| 5.3.3, 5.3.4 and 5.3.5 | Notice of meetings |
| 5.4 | Conduct of meetings – adjournment |
| 5.5.1 | Quorum |
| 5.6 | Remote participation |
| 5.7.2 and 5.7.4 | Conflicts of interest |
| 6.4.3 | Voting - Decision by majority |
| 6.4.4 | Voting - No second or casting vote |
| 6.6.1 and 6.6.2 | Records – Minutes of Meetings |

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