



## **ABERDEEN CITY INTEGRATION JOINT BOARD**

### **STANDING ORDERS**

#### **1. Introduction**

- (1) The Aberdeen City Integration Joint Board (“the IJB”) comprises voting representatives of Aberdeen City Council (“the Council”) and the Grampian NHS Board (“the NHS Board”) (“the constituent authorities”) with non-voting advisory representatives.
- (2) These standing orders are made under The Public Bodies (Joint Working) (Scotland) Act 2014 and subordinate legislation and any provision, regulation or direction issued by Scottish Ministers shall have precedence over anything written here in the event of any conflict.

#### **2. Membership**

- (1) The IJB shall include the following voting members:-
  - (a) Four councillors nominated by the Council; and
  - (b) Four members nominated by the NHS Board, of whom three shall be non-executive directors and one an executive director;
- (2) The IJB shall include the following non-voting members, with those at (f), (g) and (h) to be appointed by the NHS Board:-
  - (c) The Council’s Chief Social Work Officer;
  - (d) The Chief Officer for Integration;
  - (e) The Chief Finance Officer of the IJB appointed under S95 of the Local Government (Scotland) Act 1973;
  - (f) A registered medical practitioner on the list of primary medical services performers prepared by the NHS Board;
  - (g) A registered nurse employed by the NHS Board or by a person or body with which the NHS Board has a contract; and
  - (h) A registered medical practitioner employed by the NHS Board and not providing primary medical services;
- (3) The IJB must appoint, in addition, at least one member from each of the following groups:-
  - (i) Staff of the constituent authorities providing services under integration functions;
  - (j) Third sector bodies carrying out activities related to health or social care in the Council area;
  - (k) Service users living in the Council area; and

- (l) People providing unpaid care in the Council area.
- (4) The IJB may appoint such additional members as it sees fit but such members shall not be councillors, or executive or non-executive NHS Board members, and shall include one trade union representative and one partnership representative.

### **3. Appointment of Chair and Vice Chair**

- (1) The Chair shall be appointed by one of the constituent authorities for an appointing period not exceeding two years.
- (2) The Council and the NHS Board shall alternate which of them shall appoint the Chair in each successive appointing period.
- (3) The constituent authority which does not appoint the Chair must appoint the Vice Chair for that appointing period.
- (4) The constituent authority may change the person appointed by that authority as Chair or Vice Chair during the appointing period for the remainder of that period.-
- (5) The constituent authorities may only appoint from their membership set out under paragraph 2(1)(a) and (b) above. An appointee of the NHS Board must be a non-executive member.

### **4. Term of Office of Members**

- (1) The term of office of IJB members shall be such period as the IJB shall determine which shall not exceed three years.
- (2) A member appointed under paragraphs 2(2)(c) - (e) above shall remain a member for as long as they hold the office in respect of which they are appointed.
- (3) At the end of a term of office set out under paragraph (1) above, a member may be reappointed for a further term of office.
- (4) This paragraph is subject to paragraphs 6 (resignation of members) and 7 (removal of members) below.

### **5. Disqualification**

- (1) A person is disqualified from being a member of an integration joint board where the conditions specified in Article 8, paragraph (2) of the Public Bodies (Joint Working) (Integration Joint Boards) (Scotland) Order 2014 are met, relating to conviction of a criminal offence, removal or dismissal for disciplinary reasons from paid employment or office with a Health Board or local authority, insolvency, removal from a register maintained by a regulatory body unless voluntary, or being subject to a sanction under section 19(1)(b) – (e) of the Ethical Standards in Public Life etc (Scotland) Act 2000. The definitions of “insolvency”, “regulatory body” and “voluntary” are those given in the Order referred to in this paragraph.

## **6. Resignation of Members**

- (1) A member may resign their membership of the IJB at any time by giving the IJB notice in writing.
- (2) A voting member of the IJB must inform the constituent authority which nominated them.
- (3) This section does not apply to the Council's Chief Social Work Officer, the Chief Officer, Aberdeen Health and Social Care Partnership, and the Chief Finance Officer.
- (4) Other non-voting members of the Board shall hold office during each three year period until they are replaced by the appropriate nominating body.

## **7. Removal of Members**

- (1) If a member has not attended for three consecutive meetings of the IJB, and such absence is not due to illness or other reasonable cause as the Board may determine, the IJB may remove that member from office by providing them with one month's notice in writing.
- (2) If a member acts so as to bring the IJB into disrepute or in a way which is inconsistent with the proper performance of the IJB's functions, the IJB may remove that member from office with effect from such date as it may specify in writing.
- (3) If a member is disqualified during a term of office for a reason referred to in paragraph 5(1) above, they are to be removed from office immediately.
- (4) Where a Council nominated member ceases for any reason to be a councillor during the term of office, they are to be removed from office with effect from the day on which they cease to be a councillor.
- (5) Subject to the above paragraphs, a constituent authority may remove a member which it nominated by providing one month's notice in writing to the member and to the IJB.

## **8. Standing Orders**

- (1) All meetings of the IJB and its committees shall be regulated by these standing orders, which the IJB may amend as it so determines except that all requirements of The Public Bodies (Joint Working) (Integration Joint Boards) (Scotland) Order 2014 in relation to standing orders shall be met.
- (2) Any amendments to these standing orders shall be effective from the meeting following the one at which the changes were agreed.
- (3) Except where prohibited by statute, it shall be competent for any member at any time during a meeting to move the suspension of the whole or any specified part of these standing orders. Such a motion shall, if seconded, be put to the vote immediately without discussion.

- (4) A two thirds majority of voting members in attendance shall be required to suspend standing orders. For the avoidance of doubt, if the figure is not a whole number it shall be rounded up.
- (5) Standing orders shall be reviewed by the Board on an annual basis.
- (6) Non-material amendments can be made to Standing Orders by the Chief Officer, following consultation with the Chair and Vice Chair of the IJB, without the requirement to report to Board. Members shall be notified once such amendments have been completed.

## **9. Calling Meetings**

- (1) The Chair may call a meeting of the IJB at such times as they see fit.
- (2) A request for a special meeting of the IJB to be called may be made by a requisition signed by at least five of the voting members, which shall specify the business proposed to be transacted and which shall be presented to the Chair.
- (3) If the Chair refuses to call a meeting requisitioned under the above paragraph, or does not call a meeting within seven days after the making of the request, the members who signed the requisition may call the meeting.
- (4) The business to be transacted at any requisitioned meeting shall be limited to the business specified in the requisition.
- (5) The IJB's annual calendar of meetings shall run from 1 April to 31 March of the following calendar year. A schedule of meetings shall be approved by the Board prior to 1 April of the new meeting year.

## **10. Notice of Meetings**

- (1) Prior to each meeting of the IJB or one of its committees, a notice of meeting specifying the time, place and business to be transacted at it signed by the Chair or a member authorised to act on the Chair's behalf, shall be 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.
- (2) A failure to serve notice of a meeting on a member in accordance with the paragraph above shall not affect the validity of anything done at the meeting.
- (3) In the case of a meeting of the IJB called by members, the notice is to be signed by the members who requisitioned the meeting in accordance with paragraph 9(4) above.
- (4) The provisions of the Local Government (Access to Information) Act 1985 shall apply to meetings of the IJB.
- (5) In the event that an item of business has to be considered on an urgent basis, a meeting of the Board may be called at 48 hours notice by the Chair following consultation with the Vice Chair and Chief Officer. The

Urgent Business meeting would retain all the IJB's functions and powers, and these standing orders would apply.

- (6) If the office of Chair is vacant or the Chair is unable to act for any reason the Vice Chair may at any time call an Urgent Business meeting in consultation with the Chief Officer.

## 11. Business

- (1) The notice of meeting shall include an agenda of items of business which shall be considered in the order in which they are listed except where the Chair, at his or her discretion, may determine otherwise.
- (2) Except where required by statute, no item of business shall be considered at a meeting unless a copy of the agenda including the item of business and any associated report has been open in advance to inspection by members of the public in terms of the Local Government (Scotland) Act 1973 or, by reason of special circumstances which shall be recorded in the minute, the Chair is of the opinion that the item should be considered as a matter of urgency and at such stage of the meeting as the Chairperson shall determine.

## 12. Reports by Officers

- (1) Reports must be produced in draft to the following officers for consultation prior to being accepted onto the IJB final agenda:-
  - a) Chair of the IJB
  - b) Vice Chair of the IJB
  - c) Chief Officer, ACHSCP
  - d) Chief Finance Officer, ACHSCP
  - e) Head of Operations, ACHSCP
  - f) Head of Strategy and Transformation, ACHSCP
  - g) Chief Social Work Officer, ACC
  - h) Chief Executive, ACC
  - i) Chief Executive, NHSG
  - j) ~~Chief Officer~~Head of Finance, ACC
  - k) Director of Finance, NHSG
  - l) ~~Chief Officer Governance~~Head of Legal and Democratic Services, ACC
  - m) Clerk to the IJB
- (2) Aberdeen City Council's Leader(s) and Convener of the City Growth Finance, Policy and Resources Committee shall be consulted on draft reports relating to the IJB Budget in line with the requirements of the IJB Budget Protocol.

## 13. Quorum

- (1) No business is to be transacted at a meeting of the IJB unless at least one half of the voting members is present, being two voting members of each constituent authority.

#### **14. Conduct of Meetings**

- (1) At each meeting of the IJB, or one of its committees, the Chair of the Board or Committee, if present, shall preside.
- (2) If the Chair is absent from a meeting of the IJB the Vice Chair shall preside.
- (3) If the Chair and Vice Chair are both absent from a meeting of the IJB, a voting member chosen at the meeting by the other voting members attending the meeting shall preside.
- (4) No Vice Chairs shall be appointed to IJB committees. In the event that the Chair of a committee is absent, a voting member chosen at the meeting by other voting members attending the meeting shall preside.
- (4) If it is necessary or expedient to do so a meeting of the IJB, or of a committee, may be adjourned to another date, time or place.
- (5) A member who is unable to be present for a meeting of the IJB or any committee at the venue identified in the notice calling the meeting shall be able to take part remotely in any way which allows their participation.
- (6) The provision of paragraph 14(5) shall not apply when the Board or committee had entered private session in which exempt or confidential business would be considered.
- (7) No filming, recording or use of cameras shall be permitted without the Board's prior consent.
- (8) Following the introduction of an item of business by the Chair, all members shall be entitled to ask questions and discuss the item as openly as possible.
- (9) When, in the opinion of the Chair, members have had a reasonable opportunity to consider the item of business, the Chair shall move to a determination of the matter.
- (10) Every effort shall be made by members to ensure that as many decisions as possible are made by consensus.
- (11) The Board shall schedule a dedicated budget meeting to consider and agree the IJB budget and adhere to the provisions set out in the IJB Budget Protocol.

#### **15. Power and Duties of Chair**

- (1) It shall be the duty of the Chair:-
  - (a) To preserve order and ensure that any member wishing to speak is given due opportunity to do so and to a fair hearing;

- (b) To call members to speak according to the order in which they caught his / her eye;
  - (c) To decide on all matters of order, competency and relevancy;
  - (d) To ensure that the sense of the meeting is duly determined; and
  - (e) If requested by any member, to ask the mover of a motion or amendment to state its terms.
- (2) The Chair shall have authority to determine all non-substantive procedural matters during Board meetings following consultation with the Clerk, excepting the suspension of standing orders as outlined in paragraph 8(3).
  - (3) The ruling of the Chair on all matters in these standing orders shall be final.
  - (4) Deference shall at all times be paid to the authority of the Chair, the Chair shall be heard without interruption and all members shall address the Chair when speaking.

#### **16. Conflict of Interest**

- (1) A member must disclose any direct or indirect pecuniary interest or other interest in relation to an item of business to be transacted at a meeting of the IJB, or of one of its committees, before taking part in any discussion on that item.
- (2) Where an interest is disclosed under the above paragraph, the member disclosing the interest is to decide whether, in the circumstances, it is appropriate for that member to take part in discussion of or voting on the item of business.

#### **17. Minutes**

- (1) A record must be kept of the names of the members attending every meeting of the IJB or of one of its committees.
- (2) Minutes of the proceedings of each meeting of the IJB or a committee, including any decision made at that meeting, are to be drawn up and submitted to the subsequent meeting of the IJB or the committee for agreement after which they must be signed by the person presiding at that meeting.

#### **18. Alteration or Revocation of Previous Decision**

- (1) No decision of the IJB shall be altered or revoked within six months of it having been taken unless a recommendation to that effect is approved by the IJB, and any such alteration or revocation shall have no retrospective effect.

#### **19. Voting**

- (1) In the event that the Board had been unable to reach a decision after following the procedure outlined between paragraphs 14(8) – 14(10) and a vote is required, the provisions of this paragraph shall apply.
- (2) Each motion put to a meeting of the IJB shall be decided by a majority of the votes of those members attending and entitled to vote.
- (3) Motions and amendments thereto shall be moved and seconded. Movers shall be entitled to speak for ten minutes and all other members, including movers when summing up at the conclusion of debate, shall be entitled to speak for five minutes. No member shall speak more than once in debate, except the mover when summing up, and shall only move, second or support a motion or related amendment. A member shall be entitled, however, to ask a question.
- (4) Votes shall be taken by roll call except where an electronic voting system is available, in which case it shall be used in preference to any other method.
- (5) If the members of the IJB agree unanimously prior to a vote on any particular matter, a vote may be taken by a show of hands.
- (6) Where there is an tied vote, there shall be no casting vote afforded to the Chair or to any other member or group of members and in that event:-
  - 6(i) The Chair shall, call on the Chief Officer to outline the consequences of each potential outcome, to provide such clarification that may be appropriate or requested and to set out the ramifications to the IJB of withdrawing the matter and maintaining the status quo and, thereafter, to make a recommendation.
  - 6(ii) The Chair shall then immediately without further discussion call for a show of hands on the motion that is before the meeting.
  - 6(iii) If the result remains a tie, the Chair may:
    - (a) call a recess of the meeting for such period as the Chair thinks fit to allow members to further consider matters and once the meeting is reconvened defer to (6ii) above; or
    - (b) suspend further discussion on the issue of contention and defer the matter to the next meeting of the IJB; or
    - (c) where the Chair is of the view that a special meeting of the IJB requires to be convened suspend further discussion on the issue of contention and defer the matter to that special meeting.
  - 6(iv) Where, in the event that following the recess in terms of Standing Order 6(iii) (a) there is still a tied vote, the Chair shall, at his discretion, either; call a further recess in terms of the said Standing Order 6(iii) or chose to proceed with either option in terms of Standing Order 6(iii) (b) or Standing Order 6(iii) (c).
  - 6(v) Once the meeting is reconvened in accordance with 6(iv) above and the matter has been discussed in terms of Standing Order



14, the Chair shall call for a show of hands in terms of Standing Order 6(ii). In the event of a tied vote the Chair shall determine whether the matters should be deferred in terms of Standing Order 6(iii) (b) or Standing Order 6(iii) (c). Where this is the case, he shall direct the Chief Officer to provide such clarification that may be appropriate or requested and to set out the ramifications to the IJB of withdrawing the matter and maintaining the status quo and bring that back to a future meeting.

- 6(vi) At a future meeting of the IJB in accordance with Standing Order (19)(6)(iii)(b) and (c), the matter shall be discussed in terms of the procedure set out in Standing Order 14 and the Chair shall invite members to vote in accordance with 19(4) above.
- (a) If there remains a tied vote the Chair shall direct the Chief Officer to provide such clarification that may be appropriate or requested together with the options available to the IJB, including an outline of the ramifications of remaining with the status quo and invoking the dispute procedure under the Integration Scheme;
  - (b) The Chair shall invite members to consider and discuss these options in terms of Standing Order 14 and vote in accordance with 19(4) above on the issue;
  - (c) In the event of a further tied vote, a vote will be put to members on whether to withdraw the matter, have status quo apply or determine that the dispute procedure under the Integration Scheme may be invoked.

## **20. Substitutes**

- (1) A voting member who is unable to attend a meeting of the IJB shall arrange insofar as possible for a suitably experienced substitute, who is a member of the appropriate constituent authority, to attend in their place with voting rights.
- (2) A non-voting member who is unable to attend a meeting of the IJB may arrange for a suitably experienced substitute to attend the meeting in their place.
- (3) Where the Chair or Vice Chair is unable to attend a meeting of the IJB, any substitute attending in their place shall not preside over the meeting.

## **21. Temporary Vacancies in Voting Membership**

- (1) Where there is a temporary vacancy in the voting membership of the IJB, the vote which would otherwise have been cast by the member appointed to that vacancy may be cast by the other members nominated by the appropriate constituent authority.

- (2) Where, because of temporary vacancies, the number of members nominated by a constituent authority is one or zero and that constituent authority is to appoint the Chair, the Chair must be appointed temporarily by the other constituent authority.
- (3) Where a temporary vacancy, or the temporary appointment of the Chair in the circumstances set out in the paragraph above, persists for more than six months, the Chair of the IJB must notify the Scottish Ministers in writing of the reasons why the vacancy remains unfilled.
- (4) The Chief Officer shall determine an item of urgent business in consultation with the Chair/Vice Chair of the IJB and the Chief Executives of Aberdeen City Council and NHS Grampian during the period between the date of a Local Government Election and the appointment of voting members by Aberdeen City Council when the IJB does not have a quorum of members - on the basis that any such action shall be reported to the next meeting of the IJB as an item on the agenda.

## 22. Effect of Vacancy in Membership

- (1) A vacancy in the membership of the IJB will not invalidate anything done by or any decision of the IJB.

## 23. Expenses

- (1) The IJB may pay the reasonable travel and other expenses of members where incurred by them in connection with their membership of the IJB.

## 24. Committees

- (1) The IJB may establish such committees as it may determine for the undertaking of its functions.
- (2) The IJB must appoint the Chair of each committee it establishes for an appointing period not exceeding two years.-
- (3) The IJB may change the person appointed as Chair during the appointing period for the remainder of that period.
- (4) The Board Chair shall not chair an IJB committee.
- (53) The IJB shall appoint two voting members from each constituent authority to serve on each committee to ensure equal representation.
- (64) Any decision of a committee must be agreed by a majority of the votes cast by the voting members of that committee.
- (75) The IJB may alter the Terms of Reference of any committee at any time.
- (86) All IJB members shall be entitled to receive committee papers and an open invitation shall be extended to members to attend Committee meetings.

(97) The level of participation for non-committee members in these proceedings shall be at the discretion of the committee Chair, though non-committee members may not propose or second a motion or amendment, or vote.

10 Committee meetings shall be conducted in accordance with IJB standing orders.

(11) Following agreement from a majority of members, a committee may refer or escalate an item of business to the next IJB meeting for consideration. The Clerk of the committee shall make the necessary arrangements.

## **25. General Powers of IJB**

(1) The IJB may enter into a contract with any other person for the provision of goods and services for the purpose of undertaking the functions conferred on it by the Act, including but not limited to administrative support, accounting or legal services.

## **26. Register of Interests and Code of Conduct**

(1) The Standards Officer shall keep and maintain a Register, which shall be open to public examination, in which all members shall record their interests and hospitality offered by virtue of their membership of the IJB. The Standards Officer shall be the officer so designated by the Standards Commission, following a nomination by the IJB.

(2) All members shall be bound by the terms of the Model Code of Conduct for Devolved Public Bodies, provided for under the Ethical Standards in Public Life etc (Scotland) Act 2000. Members should not accept any gift or consideration of any kind as an inducement or reward for any action or inaction in relation to the IJB as to do so could result in that member having committed an offence under the Bribery Act 2010.

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

(1) The Public must be excluded from a meeting when an item of business is being considered and it is likely that, if the Public were present, Confidential Information would be disclosed to them in breach of an obligation of confidence in terms of section 50A(2) of the Local Government (Scotland) Act 1973 as enacted by the Local Government (Access to Information) Act 1985. A report falling into this category shall:

- be marked as containing confidential information;
- carry a restricted watermark; and
- be printed on green paper.

(2) The Public may be excluded from a meeting by resolution of the IJB when an item of business is being considered, if it is likely that Exempt Information would be disclosed to them which would fall within the

categories specified in Part 1 of Schedule 7a of the Local Government (Scotland) Act 1973, as enacted by the Local Government (Access to Information) Act 1985. Any such resolution shall specify the part of the proceedings to which it relates and the categories of exempt information involved shall be specified in the minutes. A report containing exempt information shall:

- specify the category involved;
- carry a restricted watermark; and
- be printed on green paper.

(3) The provisions of the Data Protection Act 1998 shall apply to meetings of the IJB and any relevant reports shall:

- be marked as containing data protected information; and
- carry a restricted watermark; and be printed on green paper.