

**HEALTH AND SOCIAL CARE INTEGRATION IN FIFE**

**STANDING ORDERS FOR THE INTEGRATION JOINT BOARD**

**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 any Committees and Sub-Committees of the Fife Integration Joint Board and reference to the ‘Integration Joint Board’ and “the Board” in these Standing Orders should be interpreted accordingly. The term ‘Chair’ shall also be deemed to include the Chair 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 Fife Integration Joint Board established in terms of the Public Bodies (Joint Working) (Integration Joint Board Establishment) (Scotland) Amendment (No. 3) Order 2015.

**2 Membership**

**2.1** Voting membership of the Integration Joint Board shall comprise eight Board Members of NHS Fife to be appointed by NHS Fife and eight Fife Councillors to be appointed by Fife Council. If NHS Fife is unable to appoint eight non‑executive directors then it may appoint other appropriate people, who must be members of the NHS Fife Board, but at least two of those appointed must be non-executive directors.

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

a) the Director of Health & Social Care (Chief Officer) of the Integration Joint Board;

b) the Chief Social Work Officer of Fife Council;

c). the Chief Finance Officer being 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 NHS Fife engaged in the provision of services provided under integration functions;

h) one member in respect of staff of Fife Council engaged in the provision of services provided under integration functions

i) one member in respect of third sector bodies carrying out activities related to health or social care in the area of Fife;

j) one member in respect of service users residing in the area of Fife;

k) one member in respect of persons providing unpaid care in the area of Fife; and

l) 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 Fife Health Board.

**2.3** A Member of the Integration Joint Board in terms of Standing Order 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 up to three years.

**2.4** On expiry of a Member’s term of appointment the Member shall be eligible for re-appointment provided that they remain eligible and is not otherwise disqualified from appointment.

**2.5** A voting Member appointed under paragraph 2.1 ceases to be a member of the Integration Joint Board if they cease to be a Councillor or a Member of the NHS Fife Board.

**2.6** A Member of the Integration Joint Board, other than those Members referred to in Standing Order 2.2 (a) to (c), may resign their membership at any time during their term of appointment by giving notice to the Integration Joint Board in writing. The resignation shall take effect from the date notified 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.

**2.7** 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 the Board immediately.

**2.8** Depute Members may be appointed by the party which appointed the Member, or by the Member as appropriate. The appointment of such Deputies will be subject to the same rules and procedures as 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 Chair or Vice Chair is unable to attend a meeting of the Integration Board, any Depute Member attending the meeting may not preside over that meeting.

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

**3 Chair and Vice Chair**

**3.1** The Chair and Vice Chair will be drawn from NHS Fife and Fife Council voting members of the Integration Joint Board. If a Council member is to serve as Chair then the Vice Chair will be a member nominated by NHS Fife and vice versa.

**3.2** The Chair and Vice Chair will then be appointed on a rotational basis between Fife Council and NHS Fife. The Chair and Vice Chair will be appointed for periods of three years. Fife Council or NHS Fife may change their appointee as Chair or Vice Chair during an appointing period.

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

**3.4** At every meeting of the Integration Joint Board the Chair, if present, shall preside. If the Chair is absent from any meeting the Vice-Chair, if present, shall preside. If both the Chair and the Vice-Chair are absent, a Chair shall be appointed from within the Members present for that meeting.

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

The Chair shall amongst other things:-

1. Ensure that every Member has an opportunity to be heard;
2. 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 Director of Health and Social Care or other relevant officer in attendance at the Meeting;
3. Determine the order in which speakers can be heard;
4. If requested by any Member ask the mover of a motion, or an amendment, to state its terms;
5. Maintain order and at their discretion, order the exclusion of any member of the public who is deemed to have caused disorder or misbehaved;
6. The decision of the Chair on all matters within their jurisdiction shall be final;
7. Deference shall at all times be paid to the authority of the Chair.
8. When he/she speaks, the Chair shall be heard without interruption; and
9. Members shall address the Chair while speaking.

**4 Meetings**

**4.1** Meetings of the Integration Joint Board will be convened at as agreed by the Integration Joint Board. These can be held either in person, virtually or blended as appropriate.

**4.2** The Chair may convene Special Meetings if it appears to them 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 Chair. If the Office of Chair is vacant, or if the Chair is unable to act for any reason the Vice-Chair may at any time call such a meeting.

**4.3** If the Chair refuses to issue a notice convening a meeting of the Integration Joint Board within 14 days following receipt of a written request to that effect specifying the business proposed to be transacted, signed by at least two thirds of the voting Members, then those Members who made the request may forthwith call a Meeting provided no business shall be transacted at the Meeting other than specified in the written request.

**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. Members participating in meetings in either of the ways set out in this paragraph will be eligible to participate in arriving at a consensus or take part in any vote.

**5 Notice of Meeting and Agenda**

**5.1** Before every meeting of the Integration Joint Board, or committee of the Integration Joint Board, an Agenda and papers, specifying the time, place and business to be transacted at the meeting, will be approved by the Chair, or by a Member authorised by the Chair and, shall be delivered to every Member by post or by electronic means so as to be available to them at least seven days before the meeting. The agenda will clearly identify any items which should be treated as confidential and in respect of which the press and public are likely to be excluded from the meeting in accordance with Standing Order 12.3. Any such papers will be made available, on request, to Members of the Integration Joint Board who are not on the relevant committee Lack of receipt of an Agenda and papers by 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 Chair, the Agenda and papers shall identify those Members who requisitioned the meeting.

**5.3** At all meetings of the Integration Joint Board, no business other than that on the agenda shall be discussed or adopted except whereby reason of special circumstances, which shall be specified in the minutes, the Chair 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 four Board Members appointed by Fife Council and four Board Members appointed by NHS Fife.

**6.2** A member may be regarded as being present at a meeting of the Integration Joint Board if he or she is able to participate from a remote location by the methods set out in Para. 4.4. A member participating in a meeting in this way will be counted for the purposes of deciding if a quorum is present.

**6.3** No business of any committee of the Integration Joint Board will be transacted unless the quorum of members set out in their Terms of Reference are present.

**6.4** Subject to the provisions of the Model Code of Conduct for Members of Devolved Public Bodies, no item of business shall be transacted at a meeting of the Integration Joint Board if, in consequence of the Model Code of Conduct restricting the rights of members to vote, less than a quorum of the Integration Joint Board are entitled to vote on that item.

**6.5** 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.

**6.6** Nothing in Standing Order Nos. 6.1 - 6.4 shall preclude members agreeing to continue to meet - where the meeting is inquorate - to discuss business, other than that of a quasi-judicial or regulatory nature. In the case of the Integration Joint Board continuing the minutes will include a note of the discussions and recommendations of the members. It will be up to the Chair to decide if the matter should be simply recorded in the minute for agreement or subject to being a separate agenda item at the next Integration Joint Board. In the case of a committee of the IJB continuing the minutes will include a note of the discussions and recommendations of the members with the minute being marked as an "IJB" paragraph and will become a matter for decision by the Integration Joint Board.

**7 Deputations, Presentations and Petitions**

**7.1** A deputation shall be received by the integration Joint Board, at the discretion of the Chair to be exercised reasonably, on written or e-mail application not less than five days prior to the meeting to the Proper Officer, setting out the subject on which the deputation wishes to be heard.

**7.2** A deputation shall mean a body of persons including, for the purpose, petitioners, of whom not more than five shall appear before the Integration Joint Board desirous of stating a case to the Integration Joint Board, which shall last not more than five minutes without the consent of the Integration Joint Board, regarding the subject matter of any item of business or any item of interest to the Integration Joint Board, except any matter of a quasi-judicial or regulatory nature.

**7.3** Members of the Integration Joint Board may, during a further period of not more than five minutes, ask questions of the deputation. Such questions shall be asked and answered without discussion. The deputation, questions and responses shall not be matters for debate.

**7.4** Deputations must relate to an agenda item being considered at that meeting.

**7.5** Those desirous of making a presentation shall, except for the requirement that it be a deputation of a body of persons, be subject to the same provisions as those set out for deputations above.

**7.6** Any individual or group or organisation which wishes to submit a petition to the Board will deliver the petition to the Standard Officer’s Office at least 21 working days before the meeting at which the subject matter may be considered. The Chair will decide whether or not the petition will be discussed at the meeting

**7.7** No more than one deputation, presentation or petition shall be allowed per meeting of the Integration Joint Board.

**8 Codes of Conduct and Conflicts of Interest**

**8.1** Members of the Integration Joint Board and Deputes shall subscribe to and comply with the Model Code of Conduct for Members of Devolved Public Bodies the terms of which are 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 Model Code of Conduct for Members of Devolved Public Bodies.

**8.2** If any Member or Depute has a financial or non-financial interest as defined in the Model Code of Conduct for Members of Devolved Public Bodies and is present at any meeting at which the matter is to be considered, they must as soon as practical, after the meeting starts, disclose that they have an interest and the nature of that interest and if they are precluded from taking part in consideration of that matter. They should leave the physical or virtual meeting during discuss of this item.

**8.3** If a Member or Depute 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 or Depute 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 or Depute 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 or Depute on any question with respect to that contract or matter.

**9 Adjournment of Meetings**

**9.1** 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.

**10 Disclosure of Information**

**10.1** No Member of the Board or employee of Fife Council or NHS Fife shall disclose to any person any information which falls into the following categories:-

* + - Personal data as defined in the UK General Data Protection Regulation and the Data Protection Act 2018
    - 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.

**10.2** Without prejudice to the foregoing no Member shall use or disclose to any person any confidential and/or exempt information coming to their knowledge by virtue of their 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.

**11 Admission of Press and Public**

**11.1** Meetings of theIntegration Joint Board shall be open to the public except in relation to items certified as exempt and subject to the extent of the accommodation available.

**11.2** The Director of Health & Social Care shall be responsible for giving public notice of the time and place of each meeting of the Integration Joint Board by posting details of the meeting on the Fife Direct web site not less than seven days before the date of each meeting.

**11.3** The Integration Joint Board may by resolution at any meeting exclude the press and public 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 or it is likely that confidential information would be disclosed in breach of an obligation of confidence.

**11.4** 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 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 participating 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 Board except:-

* On a question of Order.
* With the permission of the Chair.
* In explanation or to clear up a misunderstanding in some material part of their 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. They 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 Chair 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 their 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.

**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 eight Board Members appointed by NHS Fife, and the eight Members appointed by Fife Council shall be entitled to vote.

**15.3** Any matter which requires to be decided by a vote shall be determined by a majority of votes of the Members participating 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 the toss of a coin, which may be electronic or in person. 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 Director of Health & Social Care 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, Chair, remit, powers and quorum of any Committee or Working Groups will be determined by the Integration Joint Board.

**17.3** Agendas and papers for consideration at a Committee or Working Group will be issued to all Members no later than seven days prior to the start of the meeting.

**18 Urgent Decisions**

**18.1** If a decision which would normally be made by the Integration Joint Board or one of its committees, requires to be made urgently between meetings of the Integration Joint Board or Committee, the Chief Officer may take action, subject to Standing Order 18.2 and the matter being reported to the next meeting of the Integration Joint Board or Committee.

**18.2** The Chief Officer shall establish whether the Chair and/or Vice-Chair are available, and shall consult both if possible, or one if only one is available.  The Chief Officer may make an urgent decision if both the Chair and Vice-Chair are not available, but the report of the matter must explain attempts made to consult them.