

STANDING ORDERS FOR THE PROCEEDINGS OF THE WEST LOTHIAN INTEGRATION JOINT BOARD

1 General

- 1.1 These Standing Orders regulate the conduct and proceedings of the West Lothian Integration Joint Board.
- 1.2 The terms used in these Standing Orders are defined in Appendix 1.
- 1.3 Any statutory provision, regulation or direction by Scottish Ministers shall have precedence if these Standing Orders conflict with them.
- 1.4 These Standing Orders may be amended, varied or revoked at a meeting of the Board provided the notice for the meeting at which the proposal is to be considered states that there is a proposal to amend the Standing Orders, states what that proposal is, and the proposal itself does not result in the Board not complying with any statutory provision or regulation.
- 1.5 These Standing Orders shall apply at every meeting of the Board, and may not be suspended in any way, for any reason or at any time.

2 Membership

- 2.1 The membership of the Board shall comprise:-
 - a) Those voting and non-voting members prescribed by law
 - b) Those additional non-voting members appointed by the Board of its own volition
- 2.2 If and when a person ceases to hold the office or post as a result of which he or she became a member of the Board then that person shall cease to be a member of the Board.
- 2.3 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.
- 2.4 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.

3 Chair and Vice-Chair

- 3.1 Members shall be appointed to, and shall hold the positions of, Chair and Vice-Chair in accordance with the Integration Scheme.
- 3.2 The Chair will preside at every meeting of the Integration Joint Board that he or she attends.

- 3.3 In the absence of the Chair the Vice-Chair shall preside at the meeting of the Integration Joint Board.
- 3.4 In the absence of both the Chair and Vice Chair, the voting members present at the meeting shall choose a voting Integration Joint Board member to preside. In the event of a tied vote, the decision as to who shall preside shall be determined by lot.

4 Ordinary and special meetings

- 4.1 The Board shall at least annually approve a timetable of ordinary meetings, which shall be held at least six times in each financial year.
- 4.2 The Board may amend or adjust that timetable of ordinary meetings from time to time, provided that at least six such meetings are held in each financial year.
- 4.3 The Chair may change the date and/or time of an ordinary meeting, but may not cancel an ordinary meeting.
- 4.4 The Chair may call a special meeting of the Board at any time by delivering a signed requisition to the Clerk specifying the business to be transacted.
- 4.5 A request for a special meeting of the Board may be made in the form of a requisition specifying the business to be transacted, signed by at least two thirds of the number of voting members, and presented to the Clerk. If the Chair does not call that meeting within seven days of receiving the requisition, the members who signed the requisition may call a meeting by delivering a notice, signed by them all, calling the meeting.
- 4.6 Upon receipt of a requisition for a special meeting, the Clerk shall make arrangements for the meeting to be held as soon as reasonably practicable, but in any event within 14 days of the Chair's requisition, or the members' notice, as the case may be.
- 4.7 No business shall be transacted at a special meeting other than that specified in the requisition.

5 Calling meetings

- 5.1 All meetings of the Board, ordinary and special, shall be convened and shall take place in accordance with these Standing Orders.
- 5.2 A notice shall be sent, or its availability intimated, to every Board member at least five clear days before the meeting.
- 5.3 The notice shall be in the form of an agenda approved by the Chair or, in the absence of the Chair, by the Vice-Chair, and shall specify the date, time and place of the meeting and the business to be transacted.
- 5.4 Reports and other supporting papers shall be attached to the notice and delivered with it.
- 5.5 Reports shall be prepared using a standard template approved by the Board from time to time, and shall in particular advise on the following matters:-

- Relevance to the Board's values, national health and well-being outcomes, the integration planning principles and the integration delivery principles
 - Impact of decisions on services, facilities and resources used or to be used by other integration authorities and the constituent bodies
 - Requirements of legislation, directions and statutory guidance
 - Impacts on and views of localities
 - Health inequalities
 - Public sector equality duty
 - Financial implications
 - Relevance to the Strategic Plan
- 5.6 In the event that the Chief Social Work Officer or the Clinical Director requires that they be permitted access to the Board to report on matters within their professional and/or statutory roles and responsibilities then they shall be entitled to insist on a report being included on the agenda for an ordinary meeting.
- 5.7 The address for intimation or delivery shall be the email address notified by each member, unless a member requests that a different address, postal or electronic, is used.
- 5.8 Lack of or a defect in the service or intimation of the notice to any member shall not affect the validity of a meeting.
- 5.9 The notice and meeting papers shall be available to the public in terms of Standing Order 6 unless the Director, in consultation with the Chair, considers that consideration of an item of business may involve the disclosure of private information. The notice shall state if that is the case and state the category of private information involved.
- 5.10 Only the business specified in the notice shall be transacted at the meeting, unless an item of business is notified to the Chair before the meeting with a request for it to be added to the agenda, and the Chair rules to allow it to be considered on the ground of urgency. The Chair shall state the reason for such a ruling and the minute shall record the ruling and the reason given.
- 5.11 If the Chair rules that the matter is not urgent, it shall be included as an item for the next ordinary meeting, unless it is withdrawn or dealt with in some other way before then.

6 Public access to meetings and meeting papers

- 6.1 By the day after the notice calling a meeting is sent or intimated to Board members, they shall be made available to the public through the internet, except for any papers which are withheld due to the potential disclosure of private information.
- 6.2 Board meetings shall be held in public, unless the Board resolves to exclude the public

during its consideration of an item of business due to the potential disclosure of private information.

- 6.3 The minute of the meeting will record the reason for any decision by the Board to exclude the public from a meeting.
- 6.4 The minute of the meeting shall contain a note of the outcome of the Board's consideration of an item of business for which the public was excluded which informs the public of the issues and the decision but does not disclose any private information.

7 Quorum

- 7.1 A meeting shall not proceed unless there are present within 30 minutes of the starting time of the meeting at least one half of the voting members.
- 7.2 If a quorum is not present, the meeting will stand adjourned to such date and time as may be fixed by the Chair.
- 7.3 Any business on the agenda for a Board meeting which is inquorate shall be carried forward to the adjourned meeting, unless it is withdrawn or dealt with in the meantime in another way. No business other than that on the agenda for the inquorate meeting shall be added to the agenda for the adjourned meeting.
- 7.4 Substitute voting members shall be counted for the purposes of the quorum.
- 7.5 A member shall be regarded as being present at a meeting if he or she is able to participate from a remote location by a secure video link or other communication link approved by the Board. A member participating in a meeting in this way will be counted for the purposes of deciding if a quorum is present.
- 7.6 If a member withdraws from consideration of an item of business following a declaration of interest then he or she shall not be counted for the purposes of a quorum for that item of business. If there is as a result no quorum for that item of business then the item shall not be considered, and shall be carried forward to the next ordinary meeting, unless it is withdrawn or is dealt with in the meantime in another way.

8 Duties and responsibilities of the Chair

- 8.1 The Chair shall ensure that the agenda of business is properly dealt with and clear decisions are reached.
- 8.2 The Chair shall permit fair and responsible debate and shall ensure that the views and opinions of all those entitled to participate, including the advice of officers, are allowed to be expressed and that these contribute to the outcome of the meeting.
- 8.3 The Chair shall ensure the proper and timely conduct of the meeting, expediting the business on the agenda and reaching a sufficiency of debate, where appropriate.
- 8.4 On all points of order, relevance or competency, order of business, interpretation of these Standing Orders and in relation to urgent business, the ruling of the Chair is final and shall not be open to question or discussion.

9 Conduct of members

- 9.1 Members are accountable for their own individual conduct in the Chamber at all times.
- 9.2 Members must observe the rules of conduct stemming from the law, the Code of Conduct and any guidance from the Standards Commission, and the rules, standing orders and regulations of the Board.
- 9.3 Members must respect the chair, their member colleagues, Board officers and any members of the public present at meetings or other formal proceedings of the Board.
- 9.4 Members shall at all times conduct themselves in an orderly, courteous and respectful manner, shall comply with rulings of the Chair and shall otherwise respect the authority of the Chair.
- 9.5 When a member is speaking other members shall not converse or otherwise behave in a manner which is disruptive to the member speaking or to the meeting, or make any noise or disturbance which is so disruptive.
- 9.6 When the Chair speaks, any member who is addressing the meeting shall stop.
- 9.7 The Chair shall take appropriate action if he or she is of the view that a member is in breach of one or more of the foregoing standards, including requiring the withdrawal of a remark, requiring an apology, requiring the member's behaviour to cease or any other action required to allow the meeting to properly proceed.
- 9.8 If a member behaves obstructively or offensively or disregards the authority of the Chair, a motion may be moved and seconded to suspend the member for the rest of the meeting. The mover will explain briefly the reasons for so moving, and the member who is the subject of the motion shall have the right to make a brief reply. The motion shall then be put to a vote without amendment or discussion. If it is carried, the member shall withdraw from the meeting and take no further part in it.
- 9.9 The Chair has the right to adjourn a meeting in the event of disorderly conduct or other misbehaviour at the meeting.
- 9.10 Members of the Board are required to subscribe to and comply with the Code of Conduct adopted by the Board and approved by the Scottish Ministers.
- 9.11 The Clerk shall maintain the Board's Register of Interests, gifts and hospitality which shall be open for public inspection. When a member needs to update or amend his or her entry in the Register, he or she must notify the Clerk of the need to change the entry within one month after the date the matter requires to be registered.
- 9.12 Members must always consider the relevance of any interests they may have to any business presented to the Board and declare any interests where required by the Code of Conduct in relation to such business, before taking part in any discussion on the matter, or withdrawing, as the case may be.

10 Adjournment

- 10.1 If it is necessary or expedient to do so for any reason, a meeting may be adjourned by the Board to another day, time and place.
- 10.2 An adjournment shall be determined by a motion, which shall be moved and seconded and be put to the meeting without discussion.
- 10.3 If such a motion is carried, the meeting shall be adjourned to such day, time and place as may be specified in the motion, but which shall be no later than the date and time for the next ordinary meeting of the Board.
- 10.4 Any business not dealt with prior to the adjournment shall be carried forward to the adjourned meeting, unless it is withdrawn or dealt with in the meantime in some other way.

11 Items of business and debate

- 11.1 The Chair shall allow the officer responsible for an item of business to speak to it.
- 11.2 The Chair shall then allow all members to ask questions on the item of business, and shall allow members a reasonable opportunity to do so.
- 11.3 The Board may reach consensus on an item of business without taking a formal vote.
- 11.4 Any voting member may move a motion or an amendment in relation to an item of business. The Chair may require the motion or amendment to be in writing. Every motion and amendment is required to be moved and seconded by a voting member. A motion or amendment shall not be recorded or discussed until a seconder has been identified.
- 11.5 The mover of a motion may speak, on one occasion, for five minutes.
- 11.6 The seconder may speak, on one occasion, for three minutes.
- 11.7 The mover of an amendment may speak, on one occasion, for five minutes.
- 11.8 The seconder may speak, on one occasion, for three minutes.
- 11.9 Other members, voting and non-voting, may speak, on one occasion, for three minutes.
- 11.10 The mover of the motion shall have a right to reply, and may speak for three minutes, but may not introduce any new material.
- 11.11 After the reply, the question shall be put to the Board by the Chair without further debate or discussion.
- 11.12 A motion to adjourn any debate on any question or for the closure of a debate may be moved and seconded before the right to reply and shall be put to the meeting without discussion. An adjournment of any debate shall be to the next meeting.

12 Voting

- 12.1 Where a vote is required, every question at a meeting shall be determined by a simple majority of votes of the members present and voting, or abstaining from voting, on the question.
- 12.2 A vote shall be taken by a show of hands, and the minute of the meeting shall record the vote cast by each member. Except by the attendance of a substitute or in the event of a temporary vacancy, no vote may be cast by proxy for an absent voting member.
- 12.3 Where there is a temporary vacancy in the voting membership of the Board, the vote which otherwise would have been cast by a member of the constituent authority to be appointed to the vacancy may be exercised jointly by the other members appointed by that constituent authority.
- 12.4 In the case of an equality of votes, the person presiding at the meeting does not have a second or casting vote.
- 12.5 Where there has been an equality of votes, the Chair will bring consideration of the matter to a close for that meeting, and give direction to the Director on how the matter should be taken forward. The Director will then be obliged to review the matter, with the aim of addressing any concerns, and developing a proposal which the integration joint board can reach a decision upon at a future meeting.
- 12.6 Where after consideration at the future meeting the matter remains unresolved, and the Chair concludes that the equality of votes is a representation of a dispute between the two constituent parties, then the dispute resolution process which is set out in the integration scheme shall take effect. If the unresolved equality of votes is not a representation of a dispute between the two constituent parties, then the Chair and the Director must work together to arrive at an acceptable position for the integration joint board.

13 Changing a decision

- 13.1 A decision of the Board cannot be changed within six months unless notice has been given in the notice of meeting and:-
 - a) The Chair rules there has been a material change of circumstance and explains the reasons for that, or
 - b) The Board agrees the decision was based on incorrect or incomplete information
- 13.2 The minute shall record the reason for the decision being changed.

14 Minutes

- 14.1 The Clerk shall prepare the minutes of meetings of the Board.
- 14.2 The Board shall receive and review its minutes for agreement at its following ordinary meeting.
- 14.3 The minute shall record:-

- a) The names of members present at a meeting
- b) The names of any officers in attendance
- c) Declarations of interest made, and whether members declaring an interest participated in the relevant item of business, or not
- d) Significant legal and other advice provided by officers and professional advisers
- e) Rulings by the Chair
- f) A brief summary of the terms of the report and recommendations
- g) Motions, amendments, voting and decisions made
- h) Other matters required to be recorded by these Standing Orders

15 Matters to be determined by the Board

- 15.1 The Board shall approve, vary or amend these Standing Orders.
- 15.2 The Board shall approve the establishment of, and terms of reference of all of its committees.
- 15.3 The Board shall appoint all committee members, as well as the Chair and Vice-Chair of all of its committees.
- 15.4 The Board shall appoint its Strategic Planning Group and its members (other than the members to be nominated by each constituent party).
- 15.5 The Board shall approve its Strategic Plan and any other strategies that it may need to develop for all the functions which have been delegated to it.
- 15.6 The Board will also review the effectiveness of its Strategic Plan.
- 15.7 The Board shall review and approve its contribution to community planning, and shall appoint its representative(s) at the West Lothian Community Planning Partnership Board and other meetings.
- 15.8 The Board shall approve its Risk Management Policy.
- 15.9 The Board shall approve its Health & Safety Policy, if and when required by statute.
- 15.10 The Board shall approve its annual financial statement.
- 15.11 The Board shall approve Financial Regulations and a Scheme of Delegation.
- 15.12 The Board shall approve its annual unaudited accounts and governance statement.
- 15.13 The Board shall approve the content, format, and frequency of performance reporting,

and its performance report for the reporting year.

- 15.14 The Board shall approve the total payments to the constituent bodies to implement its agreed Strategic Plan.
- 15.15 The Board shall agree the form and content of the Directions to be given to the constituent authorities.
- 15.16 The Board shall consider its audited accounts and report by its external auditor.

16 Other decisions and urgent business

- 16.1 The Board shall have the power to delegate matters other than those set out in Standing Order 15 to a committee or to the Director, subject to such conditions as it may determine, and such a delegation shall be recorded in the minute of the meeting.
- 16.2 The Director, in consultation with the Clerk, is authorised to take any necessary action where a matter arises of such urgency that it cannot await a decision of the Board.
- 16.3 Prior to using this delegated authority, the Director shall consult with the Chair and the Vice-Chair of the Board and shall not proceed until that consultation has taken place with both.
- 16.4 All action taken by the Director under this delegated authority shall be reported to the next meeting of the Board.

17 Committees

- 17.1 The Board shall appoint such committees as it thinks fit, but shall appoint a committee to deal with internal and external audit business, risk management and corporate governance.
- 17.2 The Board shall appoint the Chairs, Vice-Chairs and members of its committees.
- 17.3 Committee membership may include persons who are not Board members.
- 17.4 The Board shall approve the terms of reference, remit, powers and meeting arrangements of such committees, which shall not include the determination of matters specified in Standing Order 15.
- 17.5 Each committee must include voting Board members, and must include an equal number of voting members appointed by the constituent authorities.
- 17.6 Any Board member may substitute at a meeting for a committee member who is also a Board member.
- 17.7 If a non-voting member is unable to attend a meeting of the committee, that member may arrange for a suitably experienced substitute to attend the meeting.
- 17.8 These Standing Orders relating to the calling and notice of Board meetings shall also be

applied to committee meetings.

- 17.9 A member may be regarded as being present at a meeting of a committee if he or she is able to participate from a remote location by a secure video link or other communication link approved by the Board. A member participating in a meeting in this way will be counted for the purposes of deciding if a quorum is present.

APPENDIX 1 – DEFINITIONS

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| Annual financial statement | |
| Board (and Integration Joint Board) | |
| Chief Social Work Officer | |
| Clinical Director | |
| Clerk | |
| Code of Conduct | |
| Constituent authorities | |
| Council | |
| Direction | |
| Director | |
| Financial Regulations | |
| Health Board | |
| Integration delivery principles | |
| Integration planning principles | |
| Integration Scheme | |
| Item of business | |
| National health and well-being outcomes | |
| Non-voting member | |
| Ordinary meeting | |
| Public sector equality duty | |
| Private information | See Appendix 2 |
| Register of Interests | |
| Scheme of Delegation | |

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|--------------------------|--------|
| Special meeting | |
| Standards Commission | |
| Strategic Plan | |
| Strategic Planning Group | |
| Substitute | |
| Temporary vacancy | Reg 13 |
| Voting member | |

APPENDIX 2 – PRIVATE INFORMATION

| Category | Description |
|-----------------|---|
| 1 | Information relating to a particular employee, former employee or applicant to become an employee of, or a particular office holder, former office-holder or applicant to become an office-holder under, the Board, the council or the health board, where the information relates to that person in one of those capacities. |
| 2 | Information relating to any particular applicant for, or recipient or former recipient of, any service or financial assistance provided by the Board, the council or the health board. |
| 3 | Information relating to the financial or business affairs of any particular person or body (other than the Board, the council or the health board). |
| 4 | 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). |
| 5 | The amount of any expenditure proposed to be incurred by the Board, the council or the health board under any particular contract for the acquisition of property or the supply of goods or services, provided that disclosure to the public of the amount there referred to would be likely to give an advantage to a person entering into, or seeking to enter into, a contract with the authority in respect of the property, goods or services. |
| 6 | Any terms proposed or to be proposed by or to the Board, the council or the health board in the course of negotiations for a contract for the acquisition or disposal of property or the supply of goods or services, provided that disclosure to the public of the terms would prejudice the authority in those for any other negotiations concerning the property or goods or services. |
| 7 | Any advice received, information obtained or action to be taken in connection with— (a) any legal proceedings by or against the authority, or (b) the determination of any matter affecting the authority, (whether, in either case, proceedings have been commenced or otherwise). |
| 8 | Any action taken or to be taken in connection with the prevention, investigation or prosecution of crime. |