

STANDING ORDERS

1. TITLE AND INTERPRETATION

- 1.1. These are the Standing Orders of the Clackmannanshire and Stirling Health and Social Care Integration Joint Board (hereinafter called “the IJB”).
- 1.2. The Interpretation Act 1978 will apply to the interpretation of these Standing Orders as it applies to the interpretation of an Act of Parliament

2. COMMENCEMENT

- 2.1. These Standing Orders will apply from and including 25 November 2020 and reviewed by the IJB as required, but no longer than every two years.
- 2.2. Latest review and amended date: 20 November 2024

3. INTRODUCTION AND GENERAL PRINCIPLES

- 3.1. The IJB has been established by order made under Section 9 of the Public Bodies (Joint Working) (Scotland) Act 2014. These Standing Orders regulate the procedure and business of the IJB and its committees. All meetings of the IJB and its committees will be conducted in accordance with these Standing Orders.
- 3.2. The following general principles will be given effect to in the application of these Standing Orders:
 - 3.2.1. that the role of the Chairperson is to ensure that the business of the meeting is properly dealt with and that clear decisions are reached
 - 3.2.2. that the Chairperson will seek to promote and identify consensus among the voting members of the IJB
 - 3.2.3. that the Chairperson has a responsibility to ensure that the view of all participants are expressed including the advice of officers when this is necessary to inform the decision, and
 - 3.2.4. that meetings are conducted in a proper and timely manner with all members sharing responsibility for the proper and expeditious discharge of business.

4. DEFINITIONS

- 4.1. “Confidential Information” means –

- 4.1.1. (a) information provided to the IJB or any of the Constituent Authorities by a Government department upon terms (however expressed) which forbid the disclosure of the information to the public; and
- 4.2. (b) information, the disclosure of which to the public is prohibited by or under any enactment or by the order of a court.
- 4.3. “Constituent Authorities” means Clackmannanshire Council, established under the Local Government etc (Scotland) Act 1994 and having its principal offices at Kilncraigs, Alloa FK10 1EB, Stirling Council, established under the Local Government etc (Scotland) Act 1994 and having its principal offices at Viewforth Stirling FK8 2ET and Forth Valley Health Board, established under section 2(1) of the National Health Service (Scotland) Act 1978 (operating as “NHS Forth Valley”) and having its principal offices at Carseview House, Castle Business Park, Stirling, FK9 4SW or any of them as the context admits.
- 4.4. “Integration Joint Board Order” means the Public Bodies (Joint Working) (Integration Joint Boards) (Scotland) Order 2014/285 as amended or substituted from time to time.
- 4.5. “Local Authorities” means Clackmannanshire Council, established under the Local Government etc (Scotland) Act 1994 and having its principal offices at Kilncraigs, Alloa FK10 1EB, and Stirling Council, established under the Local Government etc (Scotland) Act 1994 and having its principal offices at Viewforth Stirling FK8 2ET or either of them as the context admits.
- 4.6. “NHS FV” means Forth Valley Health Board, established under section 2(1) of the National Health Service (Scotland) Act 1978 (operating as “NHS Forth Valley”) and having its principal offices at Carseview House, Castle Business Park, Stirling, FK9 4SW.
- 4.7. “Professional Members” means the non-voting members of the IJB as defined in Standing Order 5.2.
- 4.8. “Stakeholder Members” means the non-voting members of the IJB as defined in Standing Order 5.2.

5. MEMBERSHIP

5.1. The voting members of the IJB are:

- 5.1.1. three Councillors appointed by Clackmannanshire Council,
- 5.1.2. three Councillors appointed by Stirling Council,
- 5.1.3. six Directors of NHS FV of who should be non-Executive Directors but in exceptional circumstances may include a smaller number of Executive Directors, subject always to Standing Order 10.

5.2. **The non-voting members of the IJB are:**

- 5.2.1. The Chief Social Work Officers for each of the Councils
- 5.2.2. the Chief Officer of the IJB,
- 5.2.3. the Proper Officer of the IJB appointed under section 95 of the Local Government (Scotland) Act 1973,
- 5.2.4. a registered medical practitioner whose name is included in the list of primary medical services performers prepared by NHS FV in accordance with regulations made under section 17P of the National Health Service (Scotland) Act 1978,
- 5.2.5. a registered nurse who is employed by NHS FV or by a person or body with whom NHS FV has entered into a general medical services contract,
- 5.2.6. a registered medical practitioner employed by NHS FV and who is not providing primary medical services.
- 5.2.7. A representative TU/Staffside member from each of the constituent Parties
- 5.2.8. a representative of Third Sector Bodies carrying out activities related to health and social care for the areas of the Constituent Authorities
- 5.2.9. A Service User residing in the area of the boundary of the IJB
- 5.2.10. A person providing unpaid care in the area of the boundary of the IJB
- 5.2.11. A person representing the Locality Planning arrangements within the Clackmannanshire and Stirling Integration Authority.
- 5.2.12. The IJB may wish to make more than one appointment in these categories and additional appointments appropriate and relevant to its business
- 5.3. Subject to Standing Orders 5.4 all members of the IJB are appointed to serve for a period of three years and may be reappointed for one further term of office. Exceptional circumstances may lead to further terms of office for non-voting members being proposed and secured by agreement by the IJB. Exceptions to this are the CO, CFO and CSWOs who maybe in post for longer than this timeframe and for whom there are no replacements.
- 5.4. Members will be removed from the IJB in accordance with Article 10 of the Integration Joint Board Order.
- 5.5. Members who fail to attend an IJB for three consecutive meetings without good reason may be removed from the IJB.

Voting members will be deemed to have their appointment to the IJB withdrawn if they no longer meet the criteria set out in Standing Order 5.1.

If a voting member resigns from the IJB, the appointing party will be entitled to appoint another representative to the IJB pursuant to Standing Order 5.1.

6. CHAIRPERSON AND VICE-CHAIRPERSON

- 6.1. The Chairperson appointed to serve for a period of two years shall be appointed by the Local Authorities and the Vice-Chairperson shall be appointed by NHS FV to serve for the same period.
- 6.2. The appointment of subsequent Chairpersons and Vice-Chairpersons must alternate between NHS FV and the Local Authorities in accordance with Article 6 of the Integrated Joint Board Order and the IJB's Integration Scheme. In each respective Local Authority appointing period, which the Integration Scheme provides shall last for two years, the Local Authorities will alternate in appointing a Chairperson for the full two-year period subject to any alternative arrangement reached by the Local Authorities as to how the Chairperson appointment should be arranged in any Local Authority appointing period. The Local Authorities will alternate in appointing a Vice-Chairperson for the full two period, subject to any alternative arrangement reached by the Local Authorities as to how the Vice-Chairperson appointment should be arranged in any Local Authority appointing period.
- 6.3. NHS FV and the Local Authorities may only appoint the Chairperson and Vice-Chairperson from the voting members of the IJB subject to the further proviso that NHS FV may only appoint a voting member who is a Non-Executive Director to these positions.
- 6.4. Subject to Standing Order 6.3, any Constituent Authority may change the person appointed by them as Chairperson or Vice-Chairperson during their term of office. The relevant Constituent Authority will provide written notice to the Chief Officer and to the Chief Executives of each of the other two Constituent Authorities confirming the name and position of the new appointment of Chairperson or Vice-Chairperson and confirmation of when that individual's appointment as Chairperson or Vice-Chairperson will take effect. Such notice is to be provided 21 days before that appointment of Chairperson or Vice-Chairperson takes effect, any such appointment may take effect earlier than 21 days from any such notice if by agreement of all the Constituent Authorities. The same notification procedure shall be followed when the Local Authority reach an alternative agreement on the appointment of the Chairperson or Vice-Chairperson in accordance with Standing Order 6.2.
- 6.5. The Chairperson shall have discretion, with or without discussion, to determine all questions of procedure where no specific provision is made under these Standing Orders.

- 6.6. The decision of the Chairperson on all matters within his/her jurisdiction as set out in these Standing Orders shall be final. Deference shall at all times be paid to the authority of the Chairperson and Members shall address the Chairperson while speaking.

7. CALLING MEETINGS

Ordinary meetings

- 7.1. The IJB will operate a cycle of bi-monthly meetings from 2025 and will keep its meeting frequency under review. All meetings will be held on the days, at the times and in the places fixed by the IJB and as then published in its Programme of Meetings.

Special meetings

- 7.2. The Chairperson, with the agreement of the Vice Chair, may call an extraordinary meeting of the IJB should there be an urgent need for the IJB to meet out with the meetings cycle.
- 7.3. A request from other members of the IJB for a meeting of the IJB to be called may be made in the form of a requisition specifying the business proposed to be transacted at the meeting and signed by at least two thirds of the voting members, presented to the Chairperson and Vice Chair.
- 7.4. If a request is made under Standing Order 7.3 and the Chairperson and Vice Chair refuse to call a meeting, or do not call a meeting within 7 days after the making of the request, the members who signed the requisition may call a meeting.
- 7.5. The business which may be transacted at a meeting called under Standing Order 7.3 is limited to the business specified in the requisition.

8. NOTICE OF MEETINGS

- 8.1. Before each meeting of the IJB, or a committee of the IJB, a notice of the meeting specifying the time, place and business to be transacted at it signed by an officer authorised by the Chairperson, together with a copy of the agenda and any reports to that meeting, is to be sent electronically to every member of the IJB or sent to the usual place of residence of every member of the IJB so as to be available to them at least five clear working days before the meeting.
- 8.2. A failure to serve notice of a meeting, or any reports to that meeting, on a member in accordance with Standing Order 8.1 shall not affect the validity of anything done at that meeting.

- 8.3. 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 Standing Order 7.3.
- 8.4. Public notice of the time and place of meetings, listing the business to be transacted, will be intimated on the websites of the Clackmannanshire and Stirling Health and Social Care Partnership at least three clear working days before the meeting. Where a special meeting is arranged less than three clear working days before the meeting convenes, the public notice will be published as soon as practicable.

9. PUBLIC ACCESS

- 9.1 Every meeting of the IJB will be open to the public and media.
- 9.1.1 In the unlikely event that there is a matter that is to come in front of the IJB, that cannot be considered in public, schedule 7A of the Local Government (Scotland) Act 1973 will apply.
- 9.2 Copies of agendas and reports for meetings of the IJB will be available for the public from the Clackmannanshire and Stirling Health and Social Care Partnership website for three clear working days before meetings. Minutes of meetings of the IJB will also be published on the same website.
- 9.3 Except at the discretion of the Chairperson or where arrangements have been made to allow remote attendance at, or for the webcasting of, the meeting, the IJB will not allow the taking of photographs, use of mobile telephones, or music players during meetings, or the internet, radio or television broadcasting or tape or digital recording of meetings.
- 9.4 Members of the public will not be permitted to speak or take part in a meeting of the IJB. Members of the public may, at the discretion of the Chairperson, be denied access to any meeting of the IJB if they arrive after the designated meeting start time when the meeting is in session.
- 9.5 The Chairperson has power to exclude any member of the public from a meeting in order to prevent or suppress disorder or other behaviour which is impeding or is likely to impede the proceedings of the IJB.

10. ATTENDANCE, QUORUM AND REMOTE ATTENDANCE

- 10.1. If a voting member is unable to attend a meeting of the IJB, the Constituent Authority which nominated the member, 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, to attend the meeting in place of the voting member.

- 10.2. If a Professional Member is unable to attend a meeting of the IJB that member will arrange for a deputy to attend the meeting. It will be for the IJB to determine whether the deputy who attends the meeting is suitable to attend the meeting as a substitute.
- 10.3 If a member under the terms of 5.2.7 – 5.2.11 is unable to attend a meeting of the IJB that member's named substitute is expected to attend the meeting in their place. On appointment, the Member will identify the substitute who they wish to nominate to attend in any absence by them
- 10.4 The Standards Officer of the IJB is expected to attend all meetings.
- 10.5 Senior officers within the HSCP who are presenting papers to the IJB for consideration will be invited to attend and speak for the paper about which they are presenting.
- 10.6 A voting member substitute attending a meeting of the IJB by virtue of Standing Order 10.1 may vote on decisions put to that meeting.
- 10.7 The IJB quorum is one half of the voting members. No business is to be transacted at a meeting of the IJB unless it is quorate.
- 10.8 If there is no quorum within 15 minutes from the designated start time for a meeting of the IJB, the Chairperson will adjourn the meeting to another date and time but no later than 4 weeks from the date of the original meeting. If the Chairperson is among those absent, the minute will record that no business was transacted because of the lack of the necessary quorum.
- 10.9 If during any meeting the attention of the Chairperson is called to the number of voting members present, the roll will be called and, if a quorum is not present, the meeting will immediately be adjourned.
- 10.10 If less than a quorum is entitled to vote on an item because of declarations of interest, that item cannot be dealt with at that meeting.
- 10.11 Where proper facilities are available, and at the direction of the Chairperson, a member may be regarded as being present at a meeting if he or she is able to participate from a remote location by a video or other communication link.
- 10.12 A voting member participating in a meeting from a remote location will be counted for the purposes of deciding if a quorum is present in accordance with Standing Order 10.6

11. CONDUCT OF MEETINGS

- 11.1. At each meeting of the IJB, or a committee of the IJB, the Chairperson, if attending the meeting, is to preside.
- 11.2. If the Chairperson is absent from a meeting of the IJB or a committee of the IJB the Vice-Chairperson is to preside.

- 11.3. If the Chairperson and Vice-Chairperson are both absent from a meeting of the IJB or a committee of the IJB, a voting member chosen at the meeting by the other voting members attending the meeting is to preside.
- 11.4. A substitute appointed in terms of Standing Order 10 may not preside.
- 11.5. If it is necessary or expedient to do so a meeting of the IJB, or of a committee of the IJB, may be adjourned to another date, time or place as set out in 10.5.

12. URGENT BUSINESS

- 12.1. Urgent business may be considered at a meeting of the IJB if the Chairperson rules that there is a special reason why the business is a matter of urgency. The reason(s) will be stated at the meeting and recorded in the minutes.

13. AGENDA SETTING

- 13.1. The IJB agenda will be proposed by the Chief Officer to the Chairperson and Vice Chair in advance of any meeting of the IJB and in accordance with the IJB's programme of business. The Chair and Vice Chair will thereafter agree the agenda with the Chief Officer.
- 13.2. The Chief Officer will approve all meeting papers and reports to the IJB for release before they are issued to IJB members.
- 13.3. Voting members of the IJB may request the inclusion of an item on any IJB meeting agenda, provided such a request is made in writing to the Chief Officer at least ten clear working days before any notice is provided to members of the IJB under Standing Order 8.1 in relation to any meeting of the IJB. The Chief Officer shall agree with the Chairperson and Vice Chair whether the item is to be included within the agenda for any IJB meeting.
- 13.4. Professional Members and Stakeholder Members may submit items for inclusion in any IJB meeting agenda if the item pertains to their particular area of operation or interest and they consider it appropriate that it be included in any such agenda. Any such requests must be made in writing to the Chief Officer at least ten clear working days before any notice is provided to members of the IJB under Standing Order 8.1 in relation to any meeting of the IJB. The Chief Officer shall agree with the Chairperson and Vice Chair whether the item is to be included within the agenda for any IJB meeting.

14. ORDER OF BUSINESS

- 14.1. The business of the IJB will proceed in the order specified in the notice calling the meeting which will be as follows, unless circumstances dictate otherwise:
 - 14.1.1. Notification of Apologies
 - 14.1.2. Notification of Substitutes
 - 14.1.3. Declarations of Interest
 - 14.1.4. Urgent Business brought forward by the Chairperson in terms of Standing Order 12. Any such business will be intimated at the start of the meeting and discussed in the order determined by the Chairperson.
 - 14.1.5. Minutes and Matters Arising
 - 14.1.6. Chief Officer's Update
 - 14.1.7. For Decision with Direction
 - 14.1.8. For Decision without Direction
 - 14.1.9. Matters for noting will appear at the end of the agenda
- 14.2. After the IJB has been sitting for two hours and not longer than two and a half hours, there will be an automatic break of at least 10 minutes. At the discretion of the Chairperson the break may be extended to not more than 30 minutes.

15. CONFLICT OF INTEREST

- 15.1. All members of the IJB, voting and non-voting must declare at the earliest possible stage or opportunities in the proceedings, any direct financial or non-financial interest where that interest arises in relation to an item of business to be transacted at a meeting of the IJB, or a committee of the IJB.
- 15.2. Where a financial or non-financial interest is disclosed under Standing Order 15.1 a member must apply the proper test for conflict of interest. If the member applies the test and determines that they have an interest which is so substantial that it would be likely, in the view of a member of the public with knowledge of the facts, to prejudice that member's discussion or decision making on the matter under consideration, the member declaring that interest must leave the meeting when the matter is being discussed.
- 15.3. When considering whether an interest fails to be disclosed under Standing Order 15.1, any member (including any substitute member) must have regard to the Code of Conduct for Members of the IJB and in particular Sections 4 and 5 of the Code and if required seek the advice of the Chairperson or the Standards Officer.

16. DEPUTATIONS

- 16.1. Deputation requests must be submitted to the Chief Officer by 5pm at least 2 clear working days before the meeting of the IJB or Committee takes place
- 16.2. Deputations must only be from an office bearer or spokesperson of an organisation or group, unless the chairperson exercises discretion to allow a deputation which does not meet this standing order
- 16.3. Deputations can only concern an item on the agenda of the forthcoming meeting and the deputation request must specify the agenda item it concerns
- 16.4. The chairperson will ask the IJB or committee to decide whether they wish to hear the deputation. The decision will be taken in accordance with Standing order 18.
- 16.5. Deputations should be allowed no more than 10 minutes to present their case to the IJB or committee, although this can be reduced by the chairperson. Members will be entitled to question the deputation subject to the general principles of these standing orders
- 16.6. At the end of the deputation process the deputation will return to the public seating area and will not take part in any debate, discussion or vote.

17. RECORDS

- 17.1. A record must be kept of the names of the members attending every meeting of the IJB or of a committee of the IJB.
- 17.2. Minutes of the proceedings of each meeting of the IJB or a committee of the IJB, including any decision made at that meeting, are to be drawn up and submitted to the next ensuing meeting of the IJB or the committee of the IJB for agreement after which they must be signed by the person presiding at that meeting.

18. DECISION MAKING

- 18.1. Where the IJB is asked to take a decision on a recommendation in papers from officers, the Chairperson will determine whether there is consensus among members on the proposed recommendation. In the absence of consensus, the question will be determined by a majority of votes of the voting members attending.
- 18.2. Amendments to a recommendation may be moved and seconded by voting members, and following discussion, the Chairperson will put the matter to the vote for or against the motion.

- 18.3. Any motion relevant to the item of business under discussion may be moved by a voting member. If seconded, the motion will be dealt with in accordance with Standing Order 18.2 above.
- 18.4. In the event of an equality of votes, no decision may be made on that item of business at the meeting and Standing Order 19 will apply.

19. DISPUTE RESOLUTION

- 19.1. In the event of an equality of votes, the matter will be remitted to the Chief Officer to carry out such further work and to provide such further information as may be required to enable the IJB to reconsider the matter at the following IJB meeting and reach a majority or consensus decision.

20. REVOCATION OF PREVIOUS RESOLUTIONS

- 20.1. Any proposal to amend or revoke a decision of the IJB within six months of that decision being made will require no less than two thirds of voting members present to approve.

21. ALTERATIONS TO STANDING ORDERS

- 21.1. The IJB shall have the power to alter and amend these Standing Orders at any of its meetings. Any proposed amendments should be presented in 'track' changes to the existing version for ease of sight and consideration by IJB members.

22. ESTABLISHMENT OF COMMITTEES

- 22.1. The IJB may establish committees of its members for the purpose of carrying out such of its functions as the IJB may determine. If the IJB establishes such a committee, it will:
- 22.1.1. determine the membership of that committee;
 - 22.1.2. determine the terms of reference of that committee;
 - 22.1.3. determine who will act as Chairperson of that committee;
 - 22.1.4. prepare and adopt a Scheme of Delegation setting out the role and remit of the committee; and
 - 22.1.5. set out, amongst other things, the composition, quorum, programme of meetings and all other relevant matters governing the operation of the committee.

These Standing Orders apply equally to Committees of the IJB as they do the IJB, subject to any modification as is required to meet the terms of reference and constitution of Committees.

23. APPLICATION OF STANDING ORDERS

23.1. In the event that there is any inconsistency between these Standing Orders and the IJB's Integration Scheme, the IJB's Integration Scheme shall prevail