



**REPORT TO:** HEALTH AND SOCIAL CARE INTEGRATION JOINT BOARD –  
18TH DECEMBER, 2018

**REPORT ON:** STANDING ORDERS (INCLUDING TERMS OF REFERENCE FOR THE  
PERFORMANCE AND AUDIT COMMITTEE)

**REPORT BY:** CLERK AND STANDARDS OFFICER

**REPORT NO:** DIJB73-2018

### **1.0 PURPOSE OF REPORT**

The purpose of this report is to seek the Integration Joint Board's approval to the proposed amendments to the Integration Joint Board's Standing Orders including the proposed amended Terms of Reference for the Performance and Audit Committee which are attached to the Standing Orders as detailed in the Appendix to this report.

### **2.0 RECOMMENDATIONS**

It is recommended that the Integration Joint Board (IJB):

- (i) approve the proposed amendments to the Standing Orders including the proposed amended Terms of Reference for the Performance and Audit Committee which are attached to the Standing Orders as detailed in the appendix to this report;
- (ii) remit the Clerk and Standards Officer to the Integration Joint Board to amend the Standing Orders including the proposed Terms of Reference for the Performance and Audit Committee which are attached to the Standing Orders accordingly and that these be distributed to the membership and placed on the website for Dundee Health and Social Care Partnership; and
- (iii) agree that the amended Standing Orders including the proposed Terms of Reference for the Performance and Audit Committee which are attached to the Standing Orders be effective from the next meeting of the Integration Joint Board which is to be held on 26th February, 2019.

### **3.0 FINANCIAL IMPLICATIONS**

3.1 There are no financial implications directly arising from this report.

### **4.0 MAIN TEXT**

- 4.1 Reference is made to Article X of the minute of meeting of this Integration Joint Board held on 27th October, 2015 wherein the Integration Joint Board agreed to adopt the Standing Orders of the Integration Joint Board.
- 4.2 Reference is also made to Article IX of the minute of meeting of this Integration Joint Board held on 30th August 2016 wherein the Integration Joint Board agreed to the establishment of the Performance and Audit Committee as a Standing Committee of the Integration Board and also agreed the Terms of Reference for the Committee.
- 4.3 A copy of the current Standing Orders including the Terms of Reference for the Performance and Audit Committee with proposed amendments tracked is attached.

## **5.0 POLICY IMPLICATIONS**

5.1 This report has been screened for any policy implications in respect of Sustainability, Strategic Environmental Assessment, Anti-Poverty, Equality Impact Assessment and Risk Management.

There are no major implications.

## **6.0 RISK ASSESSMENT**

This report has not been subject to a risk assessment as it is for information and does not require any policy or financial decisions at this time.

## **7.0 CONSULTATIONS**

The Chief Officer and the Chief Finance Officer were consulted in the preparation of this report.

## **8.0 BACKGROUND PAPERS**

None.

Roger Mennie  
Clerk and Standards Officer

DATE: 23rd October, 2018



**STANDING ORDERS**

**of**

**DUNDEE INTEGRATION JOINT BOARD**

## SECTION 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 and shall apply with effect from 19th February, 2019. These Standing Orders shall apply and have effect on and from the day they are adopted by the Integration Joint Board with such amendments as may be made by the Integration Joint Board from time to time.
- 1.2 These Standing Orders shall, as far as applicable, be the rules and regulations for the proceedings of Committees and Sub-Committees and therefore reference to the term 'Board' in the Standing Orders should be interpreted accordingly. The term 'Chairperson' shall also be deemed to include the Chairperson of any Committee or Sub-Committee but only in relation to such Committees or Sub-Committees.
- 1.3 In these Standing Orders "the Integration Joint Board" shall mean the Dundee Integration Joint Board established in terms of The Public Bodies (Joint Working) (Integration Joint Board Establishment) (Scotland) Order 2015.
- 1.4 Any statutory provision, regulation or direction issued by the Scottish Ministers shall have precedence if they are in conflict with these Standing Orders.

## SECTION 2 – MEMBERSHIP

- 2.1 Voting membership of the Integration Joint Board shall comprise three persons nominated by NHS Tayside, and three elected members nominated by Dundee City Council. Where NHS Tayside is unable to fill its places with Non-Executive Directors it can then nominate other appropriate people, who must be members of Tayside NHS Board to fill their spaces but at least two must be Non-Executive Directors.
- 2.2 Non-voting membership of the Integration Joint Board shall comprise:
  - (a) the Chief Social Work Officer of Dundee City Council;
  - (b) the Chief Officer of the Integration Joint Board;
  - (c) 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 NHS Tayside in accordance with Regulations made under Section 17P of the National Health Service (Scotland) Act 1978;
  - (e) a registered nurse who is employed by NHS Tayside or by a person or body with which NHS Tayside has entered into a general medical services contract;
  - (f) a registered medical practitioner employed by NHS Tayside and not providing primary medical services;
  - (g) one member in respect of staff of the constituent authorities engaged in the provision of services provided under integration functions;

- (h) one member in respect of third sector bodies carrying out activities related to health or social care in the area of Dundee City Council;
- (i) one member in respect of service users residing in the area of Dundee City Council;
- (j) one member in respect of persons providing unpaid care in the area of Dundee City Council; and
- (k) such additional members as the Integration Joint Board sees fit. Such a member may not be a Dundee City Councillor or a Non-Executive Director of NHS Tayside.

The members appointed under paragraphs (d) to (f) must be determined by NHS Tayside.

- 2.3 A member of the Integration Joint Board in terms of Paragraph 2.2 (a) and (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 a maximum period of three years (or in the case of Dundee City Councillors until the day of the Statutory Meeting of the Council following the next ordinary Election for Local Government Councillors in Scotland, whichever is shorter).
- 2.4 Where a Member resigns or otherwise ceases to hold office, the person appointed in his/her place shall be appointed for the unexpired term of the Member they replace.
- 2.5 On expiry of a Member's term of appointment the Member shall be eligible for re-appointment provided that he/she remains eligible and is not otherwise disqualified from appointment in terms of Article 8 of the Public Bodies (Joint Working) (Integration Joint Boards) (Scotland) Order 2014.
- 2.6 A voting Member appointed under paragraph 2.1 ceases to be a member of the Integration Joint Board if they cease to be either a Councillor or a Non-Executive Director of NHS Tayside or an appropriate person in terms of the Public Bodies (Joint Working) (Integration Joint Boards) (Scotland) Order 2014.
- 2.7 A Member of the Integration Joint Board, other than those Members referred to in paragraph 2.2 (a) and (c), may resign his/her membership at any time during their term of office by giving notice to the Integration Joint Board in writing. The resignation shall take effect from the date notified in the notice 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.
- 2.8 If a Member has not attended three consecutive meetings of the Integration Joint Board, and their absence was not due to illness or other reasonable cause as determined by the Integration Joint Board, the Integration Joint Board may remove the member from office by providing the member with one month's notice in writing.
- 2.9 If a member acts in a way which brings the Integration Joint Board into disrepute or in a way which is inconsistent with the proper performance of the functions of the Integration Joint Board, the Integration Joint Board may remove the member from office with effect from such date as the Integration Joint Board may specify in writing.
- 2.10 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 office immediately.

- 2.11 A constituent authority may remove a member which it nominated by providing one month's notice in writing to the member and the Integration Joint Board.
- 2.12 Proxy Members for Members of the Integration Joint Board ~~who are unable to attend a meeting of the Integration Joint Board~~ may be appointed by the constituent authority which nominated the Member, ~~or in the case of a non-voting member referred to in Paragraph 2.2 (a), (b), (c), (d), (e), by the member him/herself, as appropriate.~~ The appointment of such Proxy Members will be subject to the same rules and procedures for Members. Proxy Members shall receive papers for Meetings of the Integration Joint Board but shall be entitled to attend or vote at a Meeting only in the absence of the principal Member they represent. If the Chairperson or Vice Chairperson is unable to attend a meeting of the Integration Joint Board, any Proxy Member attending the meeting may not preside over that meeting.
- 2.13 The acts, meetings or proceedings of the Integration Joint Board shall not be invalidated by any defect in the appointment of any Member.
- 2.14 A vacancy in the membership of the Integration Joint Board will not invalidate anything done or any decision made by the Integration Joint Board.

### SECTION 3 - CHAIRPERSON AND VICE CHAIRPERSON

- 3.1 The Chairperson and Vice Chairperson will be drawn from NHS Tayside and Dundee City Council voting members of the Integration Joint Board. If a Council member is to serve as Chairperson then the Vice Chairperson will be a member nominated by NHS Tayside and vice versa. ~~The first Chairperson of the Integration Joint Board will be appointed on the nomination of NHS Tayside. The first Vice Chairperson of the Integration Joint Board will be appointed on the nomination of Dundee City Council.~~
- 3.2 The term of office of the ~~first~~ Chairperson and of the ~~first~~ Vice Chairperson will be for a rotational period of ~~12 months~~ 2 years commencing 25th October, 2016 upon nomination to those positions as required by the constituent authorities of NHS Tayside and Dundee City Council and at such other times as may be necessary following the date of the formal establishment in law of the Integration Joint Board. NHS Tayside or Dundee City Council may change their appointee as Chairperson or Vice Chairperson during an appointing period. At the end of the ~~12 month~~ 2 year period the constituent authority which nominated the Chairperson will nominate the Vice Chairperson and vice versa.
- 3.3 The Vice-Chairperson may act in all respects as the Chairperson of the Integration Joint Board if the Chairperson is absent or otherwise unable to perform his/her duties.
- 3.4 *At each meeting of the Integration Joint Board the Chairperson, if present, shall preside. If the Chairperson is absent from any meeting of the Integration Joint Board, a Committee or a Sub-Committee the Vice-Chairperson, if present, shall preside. If both the Chairperson and the Vice-Chairperson are absent, a voting member chosen at the meeting by the other voting members attending the meeting shall preside. Any Proxy Member attending the meeting in terms of 2.12 may not preside over that meeting.*
- 3.5 The Chairperson shall amongst other things:-
- (a) Preserve order and ensure that every Member has a fair hearing;

- (b) Decide on matters of relevancy, competency and order, and whether to have a recess during the Meeting, having taken into account any advice offered by the Chief Officer or other relevant officer in attendance at the Meeting;
- (c) Determine the order in which speakers can be heard;
- (d) Ensure that due and sufficient opportunity is given to Members who wish to speak to express their views on any subject under discussion;
- (e) Maintain order and at his/her discretion, order the exclusion of any member of the public who is deemed to have caused disorder or misbehaved;
- (f) The decision of the Chairperson on all matters within his/her jurisdiction shall be final;
- (g) Deference shall at all times be paid to the authority of the Chairperson. When he/she speaks, the Chairperson shall be heard without interruption; and
- (h) Members shall address the Chairperson while speaking.

#### **SECTION 4 – MEETINGS**

- 4.1 ~~The first meeting of the Integration Joint Board will be convened at a time and place to be determined by the Chairperson. Thereafter Meetings of~~ the Integration Joint Board shall meet at such place and such frequency as may be agreed by the Integration Joint Board.
- 4.2 *The Chairperson may convene Special Meetings of the Integration Joint Board at such other times as he/she sees fit. If the Office of Chairperson is vacant, or if the Chairperson is unable to act for any reason, the Vice-Chairperson may at any time call such a meeting.*
- 4.3 *If the Chairperson refuses to call a meeting of the Integration Joint Board after a requisition for that purpose specifying the business proposed to be transacted, signed by at least two thirds of the voting Members, has been presented to the Chairperson or if, without so refusing, the Chairperson does not call a meeting within seven days after such requisition has been presented, those Members who presented the requisition may forthwith call a Meeting provided no business shall be transacted at the Meeting other than specified in the requisition.*

#### **SECTION 5 - NOTICE OF MEETINGS**

- 5.1 *Before each meeting of the Integration Joint Board, or Committee or Sub-Committee of the Integration Joint Board, a notice of the meeting, specifying the time, place and business to be transacted at it signed by the Chairperson, or a member authorised by the Chairperson to sign on the Chairperson's behalf, shall be delivered to every Member or sent by post to the usual place of residence of such Members or delivered by electronic means so as to be available to them at least five clear days (not including Saturday and Sunday) before the meeting. Members may opt in writing addressed to the Chief Officer to have notice of meetings delivered to an alternative address. Such notice shall remain valid until rescinded in writing. Lack of service of the notice on 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 Chairperson, the notice shall be signed by those Members who requisitioned the meeting.*
- 5.3 At all Ordinary or Special Meetings of the Integration Joint Board, no business other than that on the agenda shall be discussed or adopted except where by reason of special circumstances, which shall be specified in the minutes, the Chairperson is of the opinion that the item should be considered at the meeting as a matter of urgency.

## **SECTION 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 both Dundee City Council and Tayside NHS Board members and at least one half of the voting Members of the Integration Joint Board.*
- 6.2 If within ten minutes after the time appointed for the commencement of a meeting of the Integration Joint Board a quorum is not present, the meeting will stand adjourned to such date and time as may be fixed.

## **SECTION 7 - CODE OF CONDUCT AND CONFLICTS OF INTEREST**

- 7.1 Members of the Integration Joint Board shall subscribe to and comply with the Code of Conduct for Members of the Dundee Integration Joint Board which is deemed to be incorporated into these Standing Orders. All members shall be obliged before taking up membership, to agree in writing to be bound by the terms of the Code.
- 7.2 If any Member has a financial or non-financial interest as defined in the Code and is present at any meeting at which the matter is to be considered, he/she must as soon as practical, after the meeting starts, disclose that he/she has an interest and the nature of that interest and if he/she is precluded from taking part in consideration of that matter.
- 7.3 *If a Member or any associate of theirs has any pecuniary or any other interest direct or indirect, in any contract or proposed contract or other matter and that Member is present at a meeting of the Integration Joint Board, a Committee or Sub-Committee that Member shall disclose the fact and the nature of the relevant interest and shall not be entitled to vote on any question with respect to it. A Member shall not be treated as having any interest in any contract or matter if it cannot reasonably be regarded as likely to significantly affect or influence the voting by that Member on any question with respect to that contract or matter.*
- 7.4 *Where an interest is disclosed the member declaring the interest/ the other members present at the meeting in question must decide whether that interest prohibits the member declaring the interest from taking part in discussion of or voting on the item of business.*

## **SECTION 8 - ADJOURNMENT OF MEETINGS**

- 8.1 *If it is necessary or expedient to do so a meeting of the Integration Joint Board, a Committee or Sub-Committee 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.

## **SECTION 9 - DISCLOSURE OF INFORMATION**

9.1 No Member or Officer shall disclose to any person any information which falls into the following categories:-

- 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 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.

9.2 Without prejudice to the foregoing no Member shall use or disclose to any person any confidential and/or exempt information coming to his/her knowledge by virtue of his/her office as a Member where such disclosure would be to the advantage of the Member or of anyone known to him/her or which would be to the disadvantage of the Integration Joint Board.

## **SECTION 10 - RECORDING OF PROCEEDINGS**

10.1 No sound, film, video tape, digital or photographic recording of the proceedings of any Meeting shall be made without the prior approval of the Integration Joint Board. Furthermore all mobiles phone must be ~~switched off~~ on silent mode during a meeting of the Integration Joint Board.

## **SECTION 11 – ADMISSION OF PRESS AND PUBLIC**

11.1 Subject to paragraph 11.2 of this Standing Order, every meeting of the Integration Joint Board shall be open to the public and press. The Chief Officer shall be responsible for giving public notice of the time and place of each meeting of the Integration Joint Board, a Committee or Sub-Committee not less than five clear days (not including Saturday and Sunday) before the date of each meeting.

11.2 The public and press shall be excluded from any meeting of the Integration Joint Board during consideration of an item of business whenever it is likely in view of the nature of the business that if they were present information would be disclosed which was confidential in terms of Part IIIA of the 1973 Act.

11.3 The Integration Joint Board may by resolution exclude the press and public from any meeting of the Integration Joint Board during consideration of an item of business whenever it is likely in view of the nature of the business, that, if they were present,

information would be disclosed which falls within one or more of the categories of exempt information in terms of Part IIIA of the 1973 Act

11.4 A resolution under paragraph 11.3 of this Standing Order shall:

- (a) Identify the proceedings or part of the proceedings to which it applies; and
- (b) State in terms of the Act the category or categories of exempt information concerned.

## **SECTION 12 - ALTERATION, DELETION AND REVOCATION OF DECISIONS OF THE INTEGRATION JOINT BOARD**

- 12.1 Without prejudice to the terms of Standing Order 13, no motion to alter, delete or revoke a decision of the Integration Joint Board will be competent within six months from the decision, unless the Chairperson determines that a material change of circumstances has occurred to the extent that it is appropriate for the issue to be re-considered.
- 12.2 The alteration, deletion or revocation of any decision of the Integration Joint Board shall not affect or prejudice any proceedings, action or liability competently done or undertaken under any such decision prior to its alteration, deletion or revocation.

## **SECTION 13 - SUSPENSION, AMENDMENT OR DELETION OF STANDING ORDERS**

- 13.1 Subject to any statutory requirements, any one or more of the Standing Orders 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 present and voting shall so decide. Any motion to suspend Standing Orders shall state the number or terms of the Standing Order(s) to be suspended.
- 13.2 The preceding paragraph of this Standing Order shall not apply to these Standing Orders or portions thereof which incorporate the provisions of Statutes or Statutory Orders or Instruments which cannot be altered or revoked by the Integration Joint Board.

## **SECTION 14 - MOTIONS, AMENDMENTS AND DEBATE**

- 14.1 It will be competent for any voting or non-voting Member of the Integration Joint Board at a meeting of the Integration Joint Board to move a motion or amendment directly arising out of the business before the Meeting, provided always that if a non-voting Member moves a motion or amendment it shall only be put to the meeting if it is seconded by a voting Member. If it is not seconded by a voting Member, the motion or amendment shall fall.
- 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 by another Member. A non-voting Member may second a motion or amendment moved by a voting Member.
- 14.3 Subject to the right of the mover of a motion to reply, no Member will speak more than once on the same issue at any meeting of the Integration Joint Board except:-
- On a point of order
  - With the permission of the Chairperson
  - On a point of clarification

In all of the above cases no new matter will be introduced.

- 14.4 The mover of the original motion will have the right of reply for a period of not more than 5 minutes. He/she will introduce no new matter and once a reply is commenced, no other Member will speak on the subject of debate. Once the mover has replied, the discussion will be held closed and the Chairperson 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 more than one amendment, unless the mover of an amendment has failed to have it seconded, or second more than one amendment.
- 14.6 It will be competent for any Member who has not already spoken in a debate to move the closure of such debate, provided always that if a non-voting Member moves such a motion it shall only be put to the meeting if it is seconded by a voting Member. If it is not seconded by a voting Member, the motion shall fall. On such motion being seconded, the vote will be taken and, if a majority of the voting Members present vote for the motion, the debate will be closed. However, closure is subject to the right of the mover of the motion to reply. Thereafter, a vote will be taken immediately on the subject of the debate.
- 14.7 Any Member may indicate his/her desire to ask a question or offer information immediately after a speech by another Member and it will be the option of the Chairperson 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 in terms of Standing Order 14.6.
- 14.9 A motion or amendment once moved and seconded cannot be altered or withdrawn unless with the consent of the majority of voting members.
- 14.10 If any member of the Integration Joint Board disregards the authority of the Chairperson or obstructs the meeting or conducts himself or herself offensively at the meeting, such member may be suspended for the remainder of the meeting. A motion to suspend a member shall be made and seconded without discussion and forthwith put to the meeting. Any member of the Integration Joint Board so suspended shall forthwith leave the meeting and shall not without the consent of the members again enter the meeting and if any member so suspended refuses to leave the meeting when so required by the Chairperson he or she may immediately by order of the Chairperson be removed from the meeting by any person authorised by the Chairperson to remove him/her.

## **SECTION 15 – PROCEDURE FOR MOTIONS AND AMENDMENTS**

- 15.1 All motions and amendments should be submitted in writing to the Clerk to the Integration Joint Board on or before 12 noon on the day of the meeting at which the item is to be considered. The Clerk will check motions and amendments for compliance with law, Standing Orders, Code of Conduct, previous decisions of the Board and financial accuracy.
- 15.2 Any further motions and amendments not anticipated in advance of the meeting should be submitted in writing to the Clerk at the meeting and will be checked for compliance with law, Standing Orders, Code of Conduct, previous decisions of the Board and financial accuracy.
- 15.3 The Chair will determine their competency (including whether they are relevant to the motion, substantially different to it and to all other amendments).
- 15.4 The import of all motions and amendments shall be stated immediately on their being proposed to the meeting by the mover before being spoken to, and such motions and amendments (except motions for the approval or disapproval, simpliciter, of any matter before the Board, purely negative amendments, amendments to remit for further consideration and report, and motions and amendments which are fully set out in a minute of the Board) shall be reduced to writing, signed by the mover, and delivered to the Clerk immediately on being moved.
- 15.5 All amendments must be relative to the motion and after the first amendment has been voted upon, all subsequent amendments must be substantially different from the first amendment.
- 15.6 Whenever an amendment upon an original motion has been moved and seconded, no further amendment shall be moved until the result of the first amendment has been determined. If an amendment be rejected, further amendments to the original motion may be moved. If any amendment be carried, such amendment shall take the place of the original motion and shall become the motion upon which any further amendments may be moved.
- 15.7 Motions and amendments moved but not seconded shall not be recorded in the minutes unless the movers shall, at such meetings, request that they be so recorded.
- 15.8 Where any motion or proposal is accepted by a meeting, the name of the mover and of the seconder, if any, shall, notwithstanding that there may not be a division, be recorded in the minutes.

## **SECTION 16 - VOTING**

- 16.1 Every effort shall be made by Members to ensure that as many decisions as possible are made by consensus.
- 16.2 Only the three Members nominated by NHS Tayside, and the three Members appointed by Dundee City Council shall be entitled to vote.
- 16.3 *Every question at a meeting shall be determined by a majority of votes of the Members present and who are entitled to vote on the question. In the case of an equality of votes the Chairperson shall not have a second or casting vote.*

- 16.4 Where a consensus cannot be reached at one meeting, the matter under discussion will be carried forward to the next meeting to permit further discussion/resolution. 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.

## **SECTION 17 - MINUTES**

- 17.1 *The names of the Members present at a meeting shall be recorded in the minutes of the meeting.*
- 17.2 *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, 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.*

## **SECTION 18 - COMMITTEES, SUB-COMMITTEES AND WORKING GROUPS**

- 18.1 The Integration Joint Board may establish any Committee, Sub Committee or Working Group as may be required from time to time to carry out such of its functions as the Integration Joint Board may determine but each Working Group shall have a limited time span as may be determined by the Integration Joint Board.
- 18.2 The Membership, Chairperson, remit, powers and quorum of any Committee, Sub Committee or Working Group will be determined by the Integration Joint Board. The membership shall include an equal number of the voting members appointed by NHS Tayside and by Dundee City Council.
- 18.3 Any decision relating to the carrying out of the functions under the Act or to integration functions taken by a Committee, Sub-Committee or Working Group established under paragraph 17.1 must be agreed by a majority of votes of the voting members who are members of the committee.

18.4 The order of functions to any Committee will be attached to these Standing Orders as an Appendix.

The order of reference for the performance and Audit Committee are attached as Appendix 1.

## **SECTION 19 - REPORTS TO THE INTEGRATION JOINT BOARD**

- 19.1 The Integration Joint Board shall only consider reports by the Chief Officer of the Integration Joint Board or the ~~p~~Proper ~~e~~Officer of the Integration Joint Board appointed under Section 95 of the Local Government (Scotland) Act 1973. For the avoidance of doubt, these officers have the right to submit reports to the Integration Joint Board which must be considered by the Integration Joint Board. Reports by other officers other than the Chief Officer of the Integration Joint Board or the Proper Officer of the Integration Joint Board shall only be considered by the Integration Joint Board at the request of the Chief Officer or the Chief Finance Officer.

- 19.2 Any Member of the Board who wishes brought before the Board any matter which can be competently considered shall submit to the Clerk to the Integration Joint Board a detailed written statement and notice of the matter not less than five clear days before the issue of the Agenda (not including Saturday and Sunday) in order that the Clerk may determine whether confidential or exempt information is likely to be disclosed. A Member whose item is included on an Agenda in terms of this Standing Order shall, when that item is considered, be called upon to speak first.

## **SECTION 20 – DEPUTATIONS**

- 20.1 All applications requesting the Integration Joint Board to receive a deputation shall be in writing, duly signed, addressed and, where possible, delivered to the Chief Officer at least five clear working days prior to the date of the meeting at which the subject may be considered. Any later requests for deputations to be received shall be reported to the meeting and shall be dealt with in accordance with the provisions of the remainder of this Section.
- 20.2 No deputation exceeding ten in number shall be received by the Board or any Committee.
- 20.3 Not more than two speakers on any deputation shall be heard, and the time allowed to the deputation for speaking shall not exceed seven minutes except at the discretion of the Chairperson.
- 20.4 Any member of the Board may put any relevant question to the deputation, but no member shall express an opinion upon, nor shall the Board discuss, the subject on which the deputation has been heard, until the deputation has withdrawn.

**DUNDEE CITY HEALTH AND SOCIAL CARE INTEGRATION JOINT BOARD  
PERFORMANCE AND AUDIT COMMITTEE  
TERMS OF REFERENCE**

<b>1</b>	<b>Introduction</b>
1.1	The Performance and Audit Committee is identified as a Committee of the Integration Joint Board (IJB).
1.2	The Committee will be known as the Performance and Audit Committee of the IJB and will be a Standing Committee of the IJB.
<b>2</b>	<b>Constitution</b>
2.1	The IJB shall appoint the Committee. The Committee will consist of not less than six members of the IJB, excluding Professional Advisors. The Committee will include at least four IJB voting members, two from NHS Tayside and two from Dundee City Council. Only voting members of the IJB will be able to vote on the Committee.
2.2	The Committee may at its discretion set up short term working groups for review work. Membership of the working group will be open to anyone whom the Committee considers will assist in the task assigned. The working groups will not be decision making bodies or formal committees but will make recommendations to the Performance and Audit Committee.
<b>3</b>	<b>Chair</b>
3.1	The Committee will be chaired by a person not being the Chair of the IJB, will be nominated by the IJB and will rotate between a voting member from NHS Tayside and a voting member from Dundee City Council. In the absence of the Chair, the members present at the meeting will appoint a member to Chair the meeting. The Chair will rotate on the same frequency as the Chair of the IJB.
<b>4</b>	<b>Quorum</b>
4.1	Two voting members of the Committee will constitute a quorum.
<b>5</b>	<b>Attendance at meetings</b>
5.1	The Chief Officer, Chief Finance Officer, Chief Internal Auditor and other Professional Advisors or their nominated representatives may attend meetings. Other persons shall attend meetings at the invitation of the Committee.
5.2	The external auditor will be invited to attend at least one meeting per annum.
5.3	The Committee may invite additional advisors as appropriate.



<b>6</b>	<b>Meeting Frequency</b>
6.1	The Committee will meet at least three times each financial year with further meetings, including development events arranged if necessary.
<b>7</b>	<b>Authority</b>
7.1	The Committee is authorised to instruct further investigation on any matters which fall within Paragraph 8.
<b>8</b>	<b>Duties</b>
8.1	The Committee will review the overall Internal Control arrangements of the IJB and make recommendations to the IJB regarding signing of the Governance Statement.
	Specifically it will be responsible for the following duties:
	1. The preparation and implementation of the strategy for Performance Review and monitoring the performance of the Partnership towards achieving its policy objectives and priorities in relation to all functions of the IJB.
	2. Ensuring that the Chief Officer establishes and implements satisfactory arrangements for reviewing and appraising service performance against set objectives, levels and standards of service and to receive regular reports on these and to review progress against the outcomes in the Strategic and Commissioning Plan.
	3. Acting as a focus for Best Value and performance initiatives.
	4. To review and approve the annual Internal Audit plan on behalf of the IJB.
	5. To receive reports, monitor the implementation of agreed actions on audit recommendations and reporting to the IJB as appropriate.
	6. To receive monitoring reports on the activity of Internal Audit and an annual Internal Audit Report.
	7. To consider External Audit Plans and reports (including the annual accounts and audit certificate), matters arising from these and management actions identified in response.
	8. To support the IJB in ensuring that the strategic integrated assurance and performance framework is working effectively, and that escalation of notice and action is consistent with the risk tolerance set by the IJB.
	9. To support the IJB in delivering and expecting co-operation in seeking assurance that hosted services run by partners are working effectively in order to allow Dundee IJB to sign off on its accountabilities for its resident population.
	10. Review risk management arrangements, receive regular reports on risk management and an annual Risk Management report.
	11. Ensure existence of and compliance with an appropriate Risk Management Strategy.
	12. To consider annual financial accounts and related matters before submission to and approval by the IJB.
	13. Ensuring that the Senior Management Team of Dundee Health and Social Care Partnership, including Heads of Service, Professional Leads and Principal

	Managers maintain effective controls within their services which comply with financial procedures and regulations.
	14. To be responsible for setting its own work programme in order to meet its specific duties including any matters which the Chief Officer believes would benefit from investigation.
	15. Promoting the highest standards of conduct by IJB Members; and monitoring and keeping under review the Code of Conduct maintained by the IJB.
	16. Will have oversight of Information Governance arrangements as part of the Performance and Audit process.
	17. To be aware of, and act on, Audit Scotland, national and UK audit findings and inspections/regulatory advice, and to confirm that the IJB has brought itself into compliance timeously.
<b>9</b>	<b>Review</b>
9.1	The Terms of Reference will be reviewed when the Chair passes to ensure their ongoing appropriateness in dealing with the business of the IJB.
9.2	As a matter of good practice, the Committee should allow for periodic review utilising best practice guidelines and external facilitation as required.



