

CÙRAM IS SLÀINTE NAN EILEAN SIAR

INTEGRATION JOINT BOARD



Meeting date:	19 September 2024
Item:	5.1
Title:	Board & Committee Governance Revision
Responsible Officer:	Nick Fayers, Chief Officer, IJB
Report Author:	Michelle McPhail, Corporate Business Manager, NHSWI

1 Purpose

This is presented to the Integration Joint Board (IJB) for:

- Decision

This report relates to a:

- Emerging issue
- Legal requirement
- Local policy

Competence:

- There are no legal, financial or other constraints associated with the report.

2 Report summary

2.1 Situation

In June 2024, Members discussed the concerns raised at the lack of IJB Audit & Risk Committee meetings being quorate. Members asked that the use of “proxy” or “depute” Members should be considered.

The report provides some background and recommendation to such a request.

2.2 Background

Public Bodies (Joint Working) (Scotland) Act 2014

The Integration Joint Board is established as a result of the Public Bodies (Joint Working) (Scotland) Act 2014 (hereafter referred to as “The Act”) and The Public Bodies (Joint Working) (Integration Joint Boards) (Scotland) Order 2014 (hereafter referred to as “The Order”) which provides the support in establishing the IJB.

The Public Bodies (Joint Working) (Integration Joint Boards) (Scotland) Order 2014

Within The Order at Section 3 – Membership where integration scheme prepared by one local authority at part 1 (a) and part 1 (b) states that the number of persons determined in accordance with paragraph 3 shall be nominated by the Local Authority and Health Board. However, it does not state the number of individuals appointable.

Integration Scheme between NHS Western Isles Health Board and Comhairle nan Eilean Siar

The IJB established the Integration Scheme between NHS Western Isles Health Board and Comhairle nan Eilean Siar in March 2015 (hereafter referred to as “The Scheme”). At Section 3 - Board Governance within The Scheme it denotes that the voting membership shall comprise of 4 persons nominated, however it makes no reference to proxy or depute membership.

Standing Orders

The last set of Standing Orders approved, 2019, advises at section 2.12 that *“Named Depute Members for Members of the Integration Board may be appointed by the constituent authority which nominated the Member, as appropriate. The appointment of such Deputies will be subject to the same rules and procedures 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 Chairperson or Vice Chairperson is unable to attend a meeting of the Integration Board, any Depute Member attending the meeting may not preside over that meeting.”*

Annex A of the Standing Orders sets out the terms of reference for the Audit Committee (as it was then called), but the Annex makes no reference to depute membership.

2.3 Assessment

There are advantages and disadvantages to appointing depute members to the Audit & Risk Committee: consistency of attendance, with historical knowledge and understanding, is conducive to enable well informed outcomes to be addressed; on the other hand, there is a need to ensure, as far as possible, that the Committee is always quorate.

The amendment to the Terms of Reference of the Audit & Risk Committee revised in 2023 increased the membership from the partner bodies from 2 to 3 and therefore increased the quorum level from 1 to 2, to support and enable the Committee to address its function and remit.

Recommendation 1:

- ✚ The IJB is asked to approve the recommendation that Depute Members should not be established for the IJB Audit & Risk Committee.

However, it is recommended that the Audit & Risk Committee's Terms of Reference should be reviewed annually to fully understand if the increase in the number of partner body members is providing support in meetings being quorate. Members should be aware of their responsibility when appointed to a Board or Committee, as a representative of the partner body, as they have an obligation and responsibility to address the appointment faithfully.

Recommendation 2:

- ✚ The IJB is asked to approve the recommendation to replaces the word "Proxy" and apply the word "Depute" when referring to those partner body Members who support the function and remit of the IJB when fully appointed Voting Member, from their partner body, are unable to attend a Board / Committee meeting.

Access to IJB Audit & Risk Committee Papers

Currently all Voting Members and Depute Members have access to the Integration Joint Board meeting papers via the IJB Teams folder. The Audit & Risk Committee papers are only accessible to those Voting Members formally appointed to the Committee.

Recommendation 3:

- ✚ The IJB is asked to approve the recommendation to support that all Voting Members and their Deputes obtain access to the IJB Audit & Risk Committee Teams folder. It is hoped that the access to these papers provide greater understanding, and enables individuals' to be better informed, when making decisions at Board level.

2.3.1 Quality/ Patient Care

The report does not impact on the quality of care (and services).

2.3.2 Workforce

The report does not impact on any aspect, either positive or negative, on staff including resources, staff health and wellbeing.

2.3.3 Financial

There is no financial support aligned to the appointment of partner representatives.

Accountants Name	Signature
Comment from the Chief Finance Officer:	
NIL	

2.3.4 Risk Assessment/Management

The concerns as to the quorate level of the IJB Audit & Risk Committee was noted in June 2024, however as the membership of the Committee increased, obtaining 3 of each partner organisation, the ability to be quorate, 2:2.

2.3.5 Equality and Diversity, including health inequalities

State how this supports the Public Sector Equality Duty, Fairer Scotland Duty, and the Board's Equalities Outcomes.

An impact assessment has not been completed because the information contained in this report does not require an impact assessment to be completed.

2.3.6 Climate Emergency and Sustainability Development

State how this report will support or impact on the Scottish Government's policy on Global Climate Emergency and Sustainability Development DL(2021)38.

The report does not contain any impact on the Scottish Government's Climate Emergency and Sustainability Development Policy.

2.3.7 Other impacts

No other relevant impacts.

2.3.8 Communication, involvement, engagement and consultation

The IJB is not required to involve or engage with external stakeholders in relation to the appointment of partner body representation and or the appointment of Substantive representation.

2.3.9 Route to the Meeting

This has been previously considered by the following groups as part of its development. The groups have either supported the content, or their feedback has informed the development of the content presented in this report.

- This report has not been presented to any other group or committee for consideration and is for decision by the full IJB.

2.4 Recommendation

- **Decision** – Reaching a conclusion after consideration of the 3 recommendations noted in the report.

3 List of appendices

The following appendices are included with this report:

No appendices.

END