

CÙRAM IS SLAINTE NAN EILEAN SIAR

INTEGRATION JOINT BOARD



Meeting date: 20 February 2025

Item: 6.1

Title: Revised Advice Note for Members of Integration Joint Boards

Responsible Officer: Tim Langley, Standards Officer

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1 Purpose

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

- Awareness

This report relates to a:

- Legal requirement

Competence:

- Financial impact - none
- Legal impact – as set out in the body of the report
- Workforce impact - none

2 Report summary

2.1 Situation

In January 2025, the Standards Commission for Scotland (“SCS”) revised its Advice Note for Members of Health and Social Care Integration Joint Boards.

2.2 Background

Members of IJBs, whether they be voting or non-voting Members, have a personal responsibility to comply with the Model Code of Conduct issued by the Standards Commission. That is in addition to any code of conduct of the Member’s own organisation.

One of the areas of the Code that is particularly challenging for Members across the country is how to manage conflicts of interest between their responsibilities to the IJB and their responsibilities to their appointing body.

The relevant principle of the Code of Conduct in respect of conflicts of interest is:

Honesty

I have a duty to act honestly. I must declare any private interests relating to my public duties and take steps to resolve any conflicts arising in a way that protects the public interest.

Section 5 of the Code sets out the process for determining whether an interest is such that it should be declared.

The mere fact that a Member is appointed to the IJB by another organisation does not mean that the Member has an inherent conflict of interest. The point to note though is that there is a *potential* for conflict, even if in practice there is rarely, if ever, an actual conflict.

The SCS has an Advice Note to assist Members in that regard.

2.3 Assessment

In relation to conflicts of interest, the key paragraph of the revised Advice Note is 4.8:

You should be aware that, as a member of the IJB, you must act in its best interests when acting as such, regardless of whether you have been appointed or nominated to it from a council, health board or other organisation. While you can raise matters from the perspective of an outside organisation, you should not promote the interests of, or lobby on behalf of, an outside body when sitting as an IJB member. It is, therefore, essential that you have clear understanding of the roles and responsibilities of each body you are on and that you are required to act in the best interests of the one they are representing at any given time.

A conflict could arise, for example, as a result of someone being a Member of the IJB as commissioner of a service, but also acting as a member or employee of a partner organisation in the delivery of that service. Annex A of the Advice Note provides some other useful case examples. In practice it seems rare that such situations arise; generally, the interests of both organisations align.

As the Advice Note states at paragraphs 4.2 and 4.3, having an awareness of the IJB's purpose, structure, aims and funding will help in identifying and avoiding conflicts of interest.

2.3.1 Quality/ Patient Care

Not applicable

2.3.2 Workforce

Not applicable

2.3.3 Financial

Not applicable

2.3.4 Risk Assessment/Management

No risk assessment is required in relation to the subject-matter of this report. It is each Member's personal responsibility to adhere to the Code of Conduct.

2.3.5 Equality and Diversity, including health inequalities

This report is concerned with a specific matter of governance that does not have any equalities implications. An impact assessment has not been completed because one is not necessary or appropriate.

2.3.6 Climate Emergency and Sustainability Development

Not applicable

2.3.7 Other impacts

None

2.3.8 Communication, involvement, engagement and consultation

Not applicable

2.3.9 Route to the Meeting

Not applicable

2.4 Recommendation

- **Awareness** – For Members' information only

3 List of appendices

The following appendix is included with this report:

- Standards Commission for Scotland's *Advice for Members of Health and Social Care Integration Joint Boards* (2025 V1.0)