

Midlothian Integration Joint Board



14th April 2022, 2.00pm

Review of Integration Joint Board Governance Requirements

Item number: 5.6

Executive summary

This report sets out key action required to ensure statutory governance requirements are fulfilled. The pandemic and associated pressures resulted in some statutory requirements being granted an extension to completion. Integration Joint Boards must now review all governance arrangements and ensure updates are made where required.

Board members are asked to:

1. Review the key areas of action
 2. Note the proposed scheme of works and timelines
 3. Highlight any areas of concern and propose any required amendments
 4. Approve the proposed scheme of works
 5. Note the future action required
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Review of Integration Joint Board Governance Requirements

1 Purpose

- 1.1 This report sets out key action required to ensure statutory governance requirements are fulfilled. The pandemic and associated pressures resulted in some statutory requirements being granted an extension to completion. Integration Joint Boards must now review all governance arrangements and ensure updates are made where required.
- 1.2 An action plan is set out in the scheme of works (appendix 1) detailing the essential activities requiring completion.

2 Recommendations

- 2.1 As a result of this report Members being asked to:-
 - Review the key areas of action
 - Note the proposed scheme of works and timelines
 - Highlight any areas of concern and propose any required amendments
 - Approve the proposed scheme of works (see Appendix 1)
 - Note the future action required

3 Background and main report

- 3.1 Integration Joint Boards are public bodies and must ensure that arrangements are established to comply with their public body duties. The Public Bodies (Joint Working) (Scotland) Act 2014 includes duties to develop a Strategic Plan for integrated functions and budgets, prepare an Annual Performance Report and publish an annual Financial Statement. There are also duties placed on Integration Joint Boards by specific legislation
- 3.2 The Ethical Standards in Public Life (Scotland) Act 2000 provides for Codes of Conduct for local authority councillors and members of relevant public bodies. As a Public Body listed in schedule 3 of the Act, the Midlothian Integration Joint Board is required to produce a Code of Conduct in line with the Model Code. This work is already underway and on target for submission and approval within the timeframe required by the Scottish Government.
- 3.3 In accordance with the Ethical Standards in Public Life (Scotland) Act 2000 (Register of Interests) Regulations 2003, Board Members of devolved public bodies are required to give notice of their interests under the seven categories of remuneration; related undertakings; contracts; houses, land, and buildings; interest

in shares and securities; gifts and hospitality; non-financial interests. All members of the IJB (voting and non-voting) are required to complete a declaration form. As such the register of members' interests of Board members must now be updated and maintained.

- 3.4 The Public Bodies (Joint Working) (Integration Joint Boards) (Scotland) Order 2014 sets out the provisions which apply to the membership, proceedings and operation of all Integration Joint Boards. The Board has agreed Standing Orders to regulate the conduct and proceedings of meetings of the Board in terms of the above Order. The current Standing Orders and associated Scheme of Delegation were agreed on 3rd May 2018. Given the passage of time and change to working practices, it would be appropriate to review the current Standing Orders as best practice governance.
- 3.5 The Public Records (Scotland) Act 2011 details the requirements of all public authorities in relation to records management. Under Section 1 Integration Joint Boards must prepare and implement a records management plan which sets out proper arrangements for the management of their records. The records management plan must be submitted for agreement by the Keeper of the Records of Scotland. The Integration Joint Board must then ensure that its public records are managed according to the records management plan that was agreed with the Keeper.
- 3.6 Section 23 of the Freedom of Information (Scotland) Act 2002 requires the Integration Joint Board to adopt, develop, publish, review and maintain a publication scheme which sets out the classes of information the IJB routinely makes available, their manner of publication, and whether they are intended to be provided to the public free of charge or on payment. The Board adopted the Scottish Information Commissioner's Model Publication Scheme on 31 May 2017. This Scheme is still valid and whilst no further action is required on the Scheme itself it would be good practice to review and where necessary update the accompanying Guide to Information to ensure it is still relevant and up to date.

4 Policy Implications

- 4.1 Implementation, updating and maintenance of the above IJB governance is a statutory requirement.

5 Directions

- 5.1 There are no implications regarding Directions.

6 Equalities Implications

- 6.1 There are no equalities implications arising from this report

7 Resource Implications

- 7.1 There are no resource implications.

8 Risk

8.1 These tasks are required to support the proper governance of the Board

9 Involving people

9.1 The IJB's meetings are public and all of its papers are available on the internet.

10 Background Papers

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Appendices:

Appendix 1: MIJB Governance Requirements Scheme of Works