

WEST DUNBARTONSHIRE SHADOW COMMUNITY HEALTH AND CARE PARTNERSHIP

Joint Report by Head of Legal, Administrative and Regulatory Services & Partnership Director

West Dunbartonshire Shadow Community Health and Care Partnership Committee: 11 August 2010

Subject: West Dunbartonshire Community Health and Care Partnership - Standing Orders for Meetings

1. Purpose

1.1 To propose a single style of Standing Orders which can be used by the Community Health and Care Partnership.

2. Background

2.1 In legal terms the Partnership consists of two separate bodies, being:

- A Committee of Greater Glasgow Health Board whose membership, functions etc are detailed in the West Dunbartonshire Community Health and Care Partnership to be approved by the Scottish Ministers; and
- A Sub-Committee of West Dunbartonshire Council created under Section 56 of the Local Government (Scotland) Act 1973. The Council decision which creates and delegates functions to this body will agree its membership and functions.

2.2 Normally each of these bodies would have their own Standing Orders. However, the intention is that each of these bodies will meet simultaneously, which would be impracticable to do, if each body had different Standing Orders. Accordingly, the purpose of this report is to propose a single set of Standing Orders for meetings of the Partnership.

3. Main Issues

3.1 The creation of a single set of Standing Orders is slightly complicated by the fact that the Community Health Partnerships (Scotland) Regulations 2004 prescribe a number of provisions which must be included in the Standing Orders of a Community Health Partnership. Similarly, Schedule 7 of the Local Government (Scotland) Act 1973 includes a number of mandatory provisions which must apply to meetings of a local authority sub-committee. Accordingly, the Standing Orders have been drafted to ensure compliance with both the 2004 Regulations and the 1973 Act.

3.2 The Standing Orders have been drafted by using existing provisions from the West Dunbartonshire CHP Standing Orders and the West Dunbartonshire Council Standing Orders. In many cases the Standing Orders were similar. Key issues where there were differences included:

- Deputies - the CHP Standing Orders provide for a named deputy to attend where the main nominee is absent, unlike the Council's Standing Orders. As the NHS representation is meant to incorporate representation from a number of different bodies (i.e. a Professional Advisory Group, the Staff Partnership Forum and the Public Partnership Forum), it is thought important to retain the ability to have deputies. Accordingly, this provision has been included in the new draft;
- The CHP Standing Orders were largely silent on the detailed procedure for dealing with motions and during debate. This has been included from the Council's Standing Orders; and
- Council Standing Orders do not allow a decision made within the previous six months to be overturned, except with a two-thirds majority to suspend Standing Orders. This was absent from the CHP style although the Standing Orders for the Health Board do include such a provision. It has therefore been included in the draft.

3.3 The proposed new Standing Orders for meetings of the Partnership are attached as Appendix 1 hereto. These would need to be approved by both the Health Board and the Council. The comments of the Shadow Partnership are invited regarding these.

4. People Issues

4.1 There are no people issues.

5. Financial Implications

5.1 There are no financial implications.

6. Risk Analysis

6.1 From a good governance point of view, it is important to have up-to-date and effective Standing Orders.

7. Equalities Impact Assessment

7.1 No significant issues were identified regarding potential equalities impact of these Standing Orders.

8. Recommendations

8.1 Members of the Shadow Partnership are:

- (a) invited to review and comment on the proposed Standing Orders for Partnership Meetings;
- (b) asked to remit to the Director the incorporation of any further minor detailed changes to the draft Standing Orders prior to the first full meeting of the new CHCP Committee; and
- (c) to commend the draft Standing Orders, subject to the incorporation of any changes proposed as a result of (a) and (b) above, to the first meeting of the new CHCP Committee for adoption.

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Appendices: Appendix 1 - West Dunbartonshire Community Health and Care Partnership - Proposed Standing Orders for Meetings

Background Papers: None

Wards: All