
EXPLANATORY NOTE

(This note is not part of the Order)

This Order sets out provisions which will apply in relation to the membership, proceedings and operation of all integration joint boards established under section 9 of the Public Bodies (Joint Working) (Scotland) Act 2014.

Articles 3 and 4 apply when an integration joint board will operate only in a single local authority area.

Article 3 makes provision for the persons who must, and may, be included in the membership of an integration joint board. Paragraph (1) and (2) set out the persons who must be included, as a minimum, in all integration joint boards to which this article applies. This includes members to be nominated by the Health Board and local authority which prepared the integration joint board (the “constituent authorities”), holders of key posts within the constituent authorities or the integration joint board, and representatives of groups having an interest in the integration joint board. Paragraphs (3) to (7) set out arrangements for flexibility for an integration joint board to appoint additional members, or different members, to those provided for in paragraphs (1) and (2), in certain circumstances.

Article 4 provides for the chairperson and vice chairperson to be appointed from among the members nominated by each constituent authority. The constituent authorities will have responsibility for these appointments on an alternating basis, with the maximum term of appointment to be three years.

Articles 5 and 6 apply when an integration joint board will operate in two or more local authority areas.

Article 5 makes provision for the persons who must, as a minimum, be included in the membership of such an integration joint board, and provides that additional members may be appointed as agreed between the constituent authorities. Article 6 makes provision for appointment of the chairperson and vice-chairperson, including the provision in article 6(3) for the right to appoint the chairperson to alternate between the Health Board on the one hand, and the local authorities on the other hand.

Article 7 makes provision as to the term of office of members, and certain particular circumstances in which a different term of office may apply. Article 8 sets out categories of persons who are disqualified from being appointed as a member. Articles 9 and 10 provide for the resignation or removal of members.

Articles 11 provides for voting on questions put to the integration joint board. Article 12 provides for proxy members to attend meetings. Articles 13 to 15 make provision about vacancies in the membership of an integration joint board.

Article 16 sets out the expenses that may be paid to members.

Article 17 confers powers on integration joint boards to establish committees and delegate functions to those committees.

Article 18 imposes a requirement on each integration joint board to create its own standing orders and, together with the Schedule, sets out certain matters that must be included in the standing orders of every integration joint board.

Articles 19 provides for all integration joint boards to be able to enter into contracts for the purpose of carrying out their functions, for example to obtain administrative support, accounting or legal services.