

Stephen Brown (Chief Officer)

Orkney Health and Care

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Agenda Item: 13

Integration Joint Board

Date of Meeting: 30 August 2023.

Subject: Reappointment of Standards Officer.

1. Purpose

1.1. To approve the reappointment of the Integration Joint Board's Standards Officer and the appointment of a new Depute Standards Officer in place of the Depute Standards Officer whose reappointment is not being sought.

2. Recommendations

The Integration Joint Board is invited to note:

2.1. That there is a statutory requirement for the Integration Joint Board to appoint a Standards Officer. The Standards Officer is responsible for advising and guiding members of the Integration Joint Board on issues of conduct and propriety.

2.2. That the terms of appointment of the current Standards Officer and current Depute Standards Officer are due to expire in September 2023 and new appointments are therefore necessary.

It is recommended:

2.3. That the reappointment of Gavin Mitchell, Head of Legal and Governance, Orkney Islands Council, as the Standards Officer of the Integration Joint Board, for a further period of three years until September 2026, be submitted for approval by the Standards Commission for Scotland.

2.4. That the appointment of Hazel Flett, Service Manager (Governance), Orkney Islands Council, as Depute Standards Officer of the Integration Joint Board, for a period of three years until September 2026, be submitted for approval by the Standards Commission for Scotland.

2.5. That the Chief Officer write to the Standards Commission for Scotland with the relevant information.

3. Standards Officer and Depute Standards Officer

3.1. The Integration Joint Board has a statutory duty to appoint a Standards Officer. This Officer is responsible for advising and guiding members of the Integration Joint Board on issues of conduct and propriety. The Standards Officer also maintains a Members' Register of Interests. In addition, the Standards Officer acts as the liaison officer between the Integration Joint Board and the Standards Commission for Scotland. The Standards Commission for Scotland is required to endorse any appointment as Standards Officer.

3.2. At its Meeting on 30 September 2020, the Integration Joint Board nominated its current Standards Officer and two Deputes for approval by the Standards Commission for Scotland. This was for a period of three years until September 2023. Approval from the Standards Commission for Scotland was duly obtained for the appointments.

3.3. The three-year appointment period for the Standards Officer and Deputes is due to expire in September 2023. The Standards Officer post is a statutory requirement and further nominations are required.

3.4. The current Standards Officer is Gavin Mitchell. Mr Mitchell is a qualified solicitor, is employed by Orkney Islands Council as the Council's Head of Legal and Governance, and is the Council's Monitoring Officer.

3.5. The current Depute Standards Officer is Georgette Herd. Ms Herd is a qualified solicitor and is employed by Orkney Islands Council within the Council's Legal Services service area.

3.6. A second Depute Standards Officer had been appointed at the meeting on 30 September 2020, but that Officer resigned their post in June 2022.

3.7. Since the appointments referred to above, there has been a staffing restructure at Orkney Islands Council which has seen the remit over matters relating to Codes of Conduct for Members and associated liaison with the Standards Commission for Scotland transfer from the Council's Legal Services service area to a new Governance service area. The Governance service area is managed by Hazel Flett, who is employed by the Council as the Council's Service Manager (Governance). Mrs Flett has a background in governance matters and is willing to accept appointment as a Depute in succession to Ms Herd when Ms Herd's appointment expires in September 2023.

3.8. Consultation has taken place between the Chief Officer, Mr Mitchell, Mrs Flett and Ms Herd, who are all in agreement with the proposal for Mr Mitchell to be re-appointed as Standards Officer, for Ms Herd to demit her role as Depute Standards Officer when her term expires in September 2023, and for Mrs Flett to be appointed as Depute Standards Officer in succession to Ms Herd, all with effect from 30 September 2023. It is proposed that the new appointments should run for a period of three years until September 2026. It is considered that the appointment of a Standards Officer and Depute Standards Officer, as proposed, will provide suitable resilience and that, as such, it is not proposed to appoint additional Depute Standards Officers at this time.

3.9. The Standards Commission for Scotland has to approve the appointments. Following the Integration Joint Board's decision on this matter, the Chief Officer will write to the Standards Commission for Scotland with the appropriate information.

4. Contribution to quality

Please indicate which of the Orkney Community Plan 2023 to 2030 values are supported in this report adding Yes or No to the relevant area(s):

Resilience: To support and promote our strong communities.	Yes.
Enterprise: To tackle crosscutting issues such as digital connectivity, transport, housing and fuel poverty.	No.
Equality: To encourage services to provide equal opportunities for everyone.	Yes.
Fairness: To make sure socio-economic and social factors are balanced.	No.
Innovation: To overcome issues more effectively through partnership working.	No.
Leadership: To involve partners such as community councils, community groups, voluntary groups and individuals in the process.	No.
Sustainability: To make sure economic and environmental factors are balanced.	No.

5. Resource and financial implications

5.1. There are no financial implications arising directly from this report. Both Officers whose appointments are being sought are employed by Orkney Islands Council. These arrangements will continue if they are appointed. Duties for the Board will be added to what are already full remits.

6. Risk and equality implications

6.1. Failure to appoint a Standards Officer would mean that the Board is in breach of its statutory duties. An appointment of a Standards Officer will help support Members with compliance with the Members' Code of Conduct.

7. Direction required

Please indicate if this report requires a direction to be passed to:

NHS Orkney.	No.
Orkney Islands Council.	No.

8. Escalation required

Please indicate if this report requires escalated to:

NHS Orkney.	No.
Orkney Islands Council.	No.

9. Authors and contact information

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