

Gillian Morrison (Interim Chief Officer)

Orkney Health and Care

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Agenda Item: 16

Integration Joint Board

Date of Meeting: 30 September 2020.

Subject: Reappointment of Standards Officer.

1. Summary

1.1. The Ethical Standards in Public Life etc. (Scotland) Act 2000 (Registers of Interests) Regulations 2003 require the Integration Joint Board to appoint a Standards Officer. This officer is responsible for advising and guiding members of the Board on issues of conduct and propriety. The Standards Officer also 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.

1.2. At the Meeting of the Integration Joint Board on 27 March 2019 the current Standards Officer and two Deputies were nominated for approval by the Standards Commission for Scotland. This was for a period of 19 months. The 19-month appointment period for the Standards Officer and Deputies is due to expire in October 2020. The Standards Officer post is a statutory requirement and further nominations are required.

2. Purpose

2.1. To ask the Board to approve the reappointment of its Standards Officer and one of the two Deputies whose current terms of appointment are due to expire, and the appointment of a Deputy in place of the Deputy whose reappointment is not being sought.

3. Recommendations

The Integration Joint Board is invited to:

3.1. Formally nominate for approval by the Standards Commission for Scotland, Gavin Mitchell, Head of Legal Services, Orkney Islands Council, as the Standards Officer of the Integration Joint Board, for a further period of three years until September 2023.

3.2. Formally nominate for approval by the Standards Commission for Scotland, Katharine McKerrell, Solicitor, Orkney Islands Council, and Georgette Herd, Solicitor, Orkney Islands Council, as Depute Standards Officers of the Integration Joint Board, for a period of three years until September 2023.

3.3. Task the Chief Officer with writing to the Standards Commission for Scotland with the relevant information.

4. Background

4.1. The Integration Joint Board has a statutory duty to appoint a Standards Officer. This officer is responsible for advising and guiding members of the 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.

4.2. At its Meeting on 27 March 2019, the Board nominated its current Standards Officer and two Deputes for approval by the Standards Commission. This was for a period of 19 months until October 2020. Subsequent to the Meeting on 27 March 2019, approval from the Standards Commission for Scotland was obtained for the appointments.

4.3. The 19-month appointment period for the Standards Officer and Deputes is due to expire in October 2020. The Standards Officer post is a statutory requirement and further nominations are required.

4.4. 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 Services and is the Council's Monitoring Officer.

4.5. The current Deputes are Katharine McKerrell and Karen Bevilacqua. Both are qualified solicitors and are employed by Orkney Islands Council. Ms Bevilacqua is not seeking reappointment when her current term expires.

4.6. Georgette Herd is a qualified Solicitor and is employed by Orkney Islands Council. Ms Herd has a background in social care law. Ms Herd is willing to accept appointment as a Depute in succession to Ms Bevilacqua.

4.7. Consultation on this report has taken place with the Interim Chief Officer, Gavin Mitchell, Head of Legal Services, Katharine McKerrell, Solicitor, Georgette Herd, Solicitor, and Karen Bevilacqua, Solicitor, who are all in agreement with the contents of this report as regards their respective responsibilities.

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

5. Contribution to quality

Please indicate which of the Orkney Community Plan 2019 to 2022 visions 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.

6. Resource implications and identified source of funding

6.1. There are no financial implications arising directly from this report. All three 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 and there will need to be further monitoring and review of whether this arrangement will be a reasonable long-term proposition.

7. Risk and Equality assessment

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

8. Direction Required

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

NHS Orkney.	No.
Orkney Islands Council.	No.
Both NHS Orkney and Orkney Islands Council.	No.

9. Escalation Required

Please indicate if this report requires escalated to:

NHS Orkney.	No.
Orkney Islands Council.	No.
Both NHS Orkney and Orkney Islands Council.	No.

10. Authors

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